

**14B NCAC 15A .1407 ANTIQUE SPIRITUOUS LIQUOR SPECIAL ORDERS**

(a) In addition to the provisions set forth in Paragraph (a) of Rule .1403 of this Section, antique spirituous liquor products shall be approved for purchase from the Special Orders Price List as follows:

- (1) Upon receipt of a request for inclusion of an antique spirituous liquor on the Special Orders Price List from either the owner of antique spirituous liquor, a local board at the request of the owner of antique spirituous liquor, or a mixed beverages permittee, the Commission shall consider the request.
- (2) The seller of the antique spirituous liquor shall provide to the Commission an inventory of each product to be sold, the seller's selling price per bottle, and a picture or copy of the label of each product legible to the Commission that allows it to identify the product to be sold.
- (3) Any antique spirituous liquor brand or product approved by the Commission for sale shall be added to the Special Orders Price List, listed by seller. The Commission shall determine the retail price for each product based on the markup formula pursuant to G.S. 18B-804, set up each product in its pricing system, assign code numbers for each product, and notify the local board and the State ABC warehouse of the price and product code number of each product.

(b) An owner of antique spirituous liquor who wants to sell antique spirituous liquor shall obtain a special one-time permit pursuant to G.S. 18B-1002(a)(4) prior to the sale.

(c) A mixed beverages permittee who wants to order antique spirituous liquor from the Special Orders Price List from an antique spirituous liquor seller shall first obtain an antique spirituous liquor permit pursuant to G.S. 18B-1001(20).

(d) When requested by an antique spirituous liquor permittee, a local board shall place an order from the antique spirituous liquor seller for spirituous liquor on the Special Orders Price list.

(e) Upon delivery of the antique spirituous liquor to the local board by the antique spirituous liquor seller, the local board shall notify the antique spirituous liquor permittee the order is available for pickup and the location where it may be picked up. The local board shall collect payment for the antique spirituous liquor from the antique spirituous liquor permittee at the time of the pickup and shall pay the seller's price to the antique spirituous liquor seller from the proceeds of the sale.

(f) Once the local board has possession of the antique spirituous liquor to be sold, the local board shall notify the Commission and the State ABC warehouse and forward the invoice bill of lading for the product to the State ABC warehouse. The State ABC warehouse shall bill the local board for the bailment and bailment surcharge for the product. The local board shall pay the bailment and bailment surcharge to the Commission.

*History Note: Authority G.S. 18B-100; 18B-101; 18B-207; 18B-800(c); 18B-804; 18B-807; 18B-1001; 18B-1002(a)(4); Recodified from 14B NCAC 15A .1403(e) through (j) Eff. February 1, 2021; Eff. February 1, 2021.*