

14B NCAC 15C .1307 ABC STORE SPIRITUOUS LIQUOR TASTINGS

(a) Local boards shall determine whether to allow tastings to be conducted in any of their ABC stores. The ABC store, date, and times for any tastings authorized by the local board shall be set by the local board. Tastings are not required to be conducted every week or in all ABC stores operated by the local board. The schedule set by the local board for tastings may vary from week to week.

(b) If a local board authorizes consumer tasting events to be held in a specific ABC store, written requests to conduct a consumer tasting event at that ABC store at a specific date and time established by the local board shall be processed on a first-come, first-served basis. A local board may require a permittee to include a signed agreement to comply with local board conditions as a part of a written request for permission to conduct a consumer tasting event pursuant to G.S. 18B-1114.7(c)(10).

(c) Notwithstanding Paragraph (b) of this Rule, once permission has been granted to conduct a consumer tasting event at a specific date and time, this permission shall be subject to the permission being withdrawn for that ABC store not later than 30 days prior to the scheduled time of the event, upon the receipt of a request from another permittee that has conducted fewer consumer tasting events in the ABC store within a previous 12-month period than the permittee originally granted permission. A superseding request for the same date and time must be received in writing by the local board before the close of business on the last business day prior to 35 days prior to the previously approved request date. Prior to accepting a request to preempt a previously approved request date and time, the local board shall provide to the superseding requestor a schedule of other available dates and times for consumer tasting events in lieu of the requested date. If the alternative dates and times are not acceptable to the superseding requestor, the original permission shall be withdrawn, and the date and time shall be assigned to the superseding requestor. A local board that withdraws permission to conduct a consumer tasting event shall provide the permittee originally granted permission with a written explanation of the reason for the withdrawal and the process for requesting a rescheduling of the consumer tasting event.

(d) The local board may deny a permittee the right to conduct future consumer tasting events for a period of up to one year from the date of the violation upon a determination by the local board that the permittee conducted a consumer tasting event in violation of G.S. 18B-1114.7(c)(10).

(e) In addition to the requirements set forth in G.S. 18B-1114.7(c)(7), a permit holder shall include with the notice a copy of the local board's written approval for the permit holder to conduct a consumer tasting event at a specific time and location. Written approval by the local board may be by email. For purposes of G.S. 18B-1114.7(c)(7)c., the list shall include the product codes of the specific spirituous liquor products available for tasting.

(f) Proof of purchase of spirituous liquor from any ABC store shall be by receipts issued by an ABC store. Permittees shall maintain receipts of purchases of spirituous liquor used in tastings for a period of six months from the date the spirituous liquor is first used for tastings pursuant to G.S. 18B-1114.7. Spirituous liquor purchased from an ABC store for use in tastings conducted in accordance with this Section may be used for multiple tastings at multiple locations.

(g) At the time of the completion of a tasting, the permittee shall submit to the local board in writing the name of the permittee that conducted the consumer tasting event, the names of all employees or agents of the permittee who were present at the tasting, and the name of each product available for tasting at the consumer tasting event. A local board that authorizes consumer tasting events shall maintain for a period of three years a list of all consumer tasting events conducted in each of its stores by date, name of the permittee that conducted the consumer tasting event, name of all employees or agents of the permittee who were present at the tasting, and name of each product available for tasting at the consumer tasting event.

(h) A local board that authorizes consumer tasting events shall maintain for a period of three years the following records by types of permittees:

- (1) written requests for permission to conduct tastings;
- (2) permissions granted to conduct tastings;
- (3) denials of request for permission to conduct tastings; and
- (4) withdrawal of permissions to conduct tastings.

A local board shall make these records available to the Commission upon request.

History Note: Authority G.S. 18B-100; 18B-207; 18B-1114.7;
Eff. November 1, 2020.