

#### **14B NCAC 15A .0103 DEFINITIONS**

(a) The following definitions apply in this Chapter:

- (1) "Administrator" means the principal administrative officer of the Commission.
- (2) "Alcohol law enforcement agent" or "ALE agent" means an enforcement agent of the Alcohol Law Enforcement Branch, North Carolina Department of Public Safety.
- (3) "Applicant" means any person who requests the issuance of a permit from the Commission, unless the context clearly means otherwise.
- (4) "Brand," in relation to wines, means the name under which a wine is produced. A brand shall not be construed to mean a class or type of wine, but all classes and types of wines sold under the same brand label shall be considered a single brand. Differences in packaging such as a different style, type, or size of container shall not be considered different brands.
- (5) "Branded merchandise" means items, including glassware, cups, signs, t-shirts, hats, and other apparel, which bear the brand of the alcoholic beverage being served, or the brand of the brewery, winery, or distiller whose alcoholic beverages is being served, at a tasting conducted pursuant to G.S. 18B-1114.1, 18B-1114.5 or 18B-1114.7.
- (6) "Brokerage" means a business that brokers in the State the sale of spirituous liquor on behalf of a spirituous liquor supplier.
- (7) "Brokerage representative" means an individual who promotes spirituous liquor on behalf of a brokerage.
- (8) "Chairman" means the chairman of the Commission.
- (9) "Contractor" means the person or persons responsible for carrying out the storage and distribution of spirituous liquors at the State ABC warehouse.
- (10) "Distiller representative" means an individual who promotes spirituous liquor on behalf of a distiller, or otherwise represents a distiller.
- (11) "Distressed liquor" means liquor which is not saleable due to adulteration or damage to the bottle, label, or tax seal.
- (12) "Industry Member" means any wholesaler, salesman, brewery, winery, bottler, importer, liquor importer/bottler, distiller, distiller representative, brokerage, brokerage representative, supplier representative, rectifier, nonresident vendor, vendor representative, or affiliate thereof, that sells or solicits orders for alcoholic beverages, whether or not licensed in this State.
- (13) "Permittee" means a person to whom a permit has been issued by the Commission.
- (14) "Rectifier" means a permittee that processes spirituous liquor by cutting, blending, mixing, or infusing the spirituous liquor with any ingredient that reacts with the constituents of the distilled spirits and changes the character and nature, or standards of identity, of the distilled spirits. "Rectifier" does not include a person who extracts spirituous liquor by original or continuous distillation, or who mixes spirituous liquor with other ingredients for immediate consumption.
- (15) "Retail permittee" or "retailer" means any permittee holding a retail alcoholic beverage permit issued pursuant to the authority of G.S. 18B-1001 but does not include a non-profit or political organization that has been issued a special one-time permit pursuant to the provisions of G.S. 18B-1002(a)(2) or (5).
- (16) "State ABC warehouse" means the contractor-operated facility or facilities storing spirituous liquors on behalf of the Commission pursuant to G.S. 18B-204, or, in cases of emergency, the facility or facilities operated by the State for the purpose of storing spirituous liquors.
- (17) "Spirituous liquor supplier" means a distiller, liquor importer/bottler, or rectifier.
- (18) "Supplier representative" means, as the term is used in G.S. 18B-1114.7, an individual who promotes on behalf of a spirituous liquor supplier, or otherwise represents a spirituous liquor supplier.
- (19) "Vendor" means any brewery, winery, bottler, malt beverage or wine importer, or nonresident malt beverage vendor or nonresident wine vendor as those terms are used in G.S. 18B-1113 and 18B-1114.
- (20) "Vendor representative" means any person who holds a permit issued pursuant to G.S. 18B-1112.
- (21) "Wine" means both fortified wine and unfortified wine.

(b) The definitions in Chapter 18B apply to the rules in this Chapter.

*History Note: Authority G.S. 18B-100; 18B-207;  
Eff. January 1, 1982;*

*Amended Eff. November 1, 2010; May 1, 1984;*  
*Transferred and Recodified from 04 NCAC 02R .0103 Eff. August 1, 2015;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22,*  
*2015;*  
*Amended Eff. September 1, 2019.*