



State of North Carolina
ALCOHOLIC BEVERAGE CONTROL COMMISSION

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N.C. Alcoholic Beverage Control Commission Denies Request to Name
Raleigh Amphitheater for Bud Light
Commission Hears 58 Permit Violation Cases and OKs Other Agenda Items

RALEIGH – At its regular monthly meeting, the North Carolina Alcoholic Beverage Control Commission today declined a request for exemption by Harris Wholesale Company to allow the Raleigh Amphitheater to be named The Bud Light Amphitheater. The ABC Commissioners noted that naming the Raleigh facility for an alcohol product would set a precedent in the state and would run counter to North Carolina's laws that establish boundaries between wholesalers and retailers and that restrict how alcohol products can be advertised. The matter had been continued from the commission's May meeting.

"The ABC Commission considered this exemption request carefully and reviewed the numerous laws that apply to how alcohol retailers and distributors can promote their products. In addition, the commission invited public comment on the request to name the Raleigh Amphitheater for an alcoholic beverage; and in neither the comment nor the review of the statutes and rules did the commissioners find that a public benefit outweighed the negatives associated with this request," said Jon Williams chairman of the NC ABC Commission.

During the June 17 session, the ABC Commission imposed penalties and fines totaling approximately \$70,000 on representatives of retail bars, restaurants, groceries and clubs found to be in violation of their permits. In addition to the fines, many of the violations resulted in suspensions of permits for five days or more. The fines are to be paid by July 9, 2010 with suspensions beginning July 16, 2010. Fines benefit the local school systems where the violations occurred.

In other matters, the commission voted in favor of the following:

- Durham ABC Board request for an ABC store at 1928 Holloway Street, Durham, replacing an existing store next door.
- Burnsville ABC Board request for the first store in Yancey County proposed for 683 West US Highway 19E Bypass. The favorable vote was conditional, since the public notice of the store's proposed location has been posted 28 days as of the ABC Commission meeting date, and the requirement is for notice of 30 days. The commission will hold a conference call Monday at 1:30 to review any additional comments regarding the location.
- Price adjustment request by LB&B, the company that holds the state ABC Warehouse and Distribution contract. An adjustment reflecting higher fuel costs and numbers of cases handled had been requested by LB&B initially in July 2009. In November 2009, the Commission directed the ABC Administrator to negotiate with LB&B for a reduced price

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adjustment. The resulting adjustment of \$133,000 – or approximately 2.6 percent of the LB&B total contract - was approved June 2010.

- Exemption request by JR Motorsports, which has a part ownership in a Charlotte bar (Whiskey River), and that desires to enter into a partnership with Grand Touring Vodka for a sponsorship agreement of a car to be entered into the NASCAR Nationwide Series. The commission noted that the beverage is not currently listed for sale in North Carolina, and it approved the request on the condition that Grand Touring Vodka not be sold or promoted at Whiskey River.
- Exemption request by the Weaverville ABC Board to allow its chairman to continue as chairman until his term expires in 2011 and to allow him to serve as a landlord to a new Irish pub that will be a permit holder served by the Weaverville ABC.
- Forwarding to the Office of Administrative hearings recommended updates to the North Carolina Administrative Code (4 NCAC 2 R). Additional sections with recommended updates will be received and reviewed at future meetings.

Jonathan S. “Jon” Williams, serves as chairman of the N.C. Alcoholic Beverage Commission. A.D. “Zander” Guy is commissioner. At the beginning of the meeting Williams noted that former Commissioner J.D. Lyon Jr., had stepped down from the three-person commission after the May meeting, and he thanked Lyon for his almost four years of service to the commission and to the state. The commission can carry out its regulatory business with two members until a third is named to fill the vacant seat.

ABOUT THE ABC COMMISSION

North Carolina is one of 19 states to regulate alcohol through a control system. Since 1937, the North Carolina Alcoholic Beverage Control Commission has provided regulation and control over the sale, purchase, transportation, manufacture, consumption and possession of alcoholic beverages in the state of North Carolina. The commission oversees more than 25,000 permits allowing alcohol sales by more than 17,000 retail outlets across the state. In fiscal year 2009, the Commission returned more than \$250 million in taxes and revenue to benefit the General Fund and the budgets of local cities and counties that sell alcoholic beverages.

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