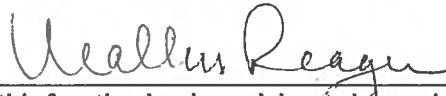


SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15A .2101 Prior Approval From ABC Commission	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIO N	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: August 15, 2017 Link to Agency notice: www.abc.nc.gov Hearing on: November 15, 2017 Adoption by Agency on: November 15, 2017 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2015-98, s. 4(a); S.L. 2015-262, s. 3(a); S.L. 2017-87, s. 1(a) <input type="checkbox"/> Petition for rule-making	
9B. Explain: In 2015 the General Assembly authorized distilleries to sell on their premises as part of a tour of the distillery limited quantities of spirituous liquor distilled at the premises. The annual quantities that can be sold to each consumer was increased in 2017 from 1 bottle to 5 bottles per year. These rules implement the process and requirements for compliance with this statute.	
10. Rule-making Coordinator: Walker Reagan Address: 400 East Tryon Road Raleigh, NC 27610 Phone: 919-779-8367 E-Mail: walker.reagan@abc.nc.gov Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Walker Reagan Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF ADMIN HEARINGS

1 14B NCAC 15A .2101 is adopted with changes as published in 32:04 NCR 157 as follows:
2

3 **SECTION .2100 – DISTILLERY PERMIT HOLDERS’ SALE OF SPIRITUOUS LIQUOR DISTILLED ON**
4 **PREMISES TO VISITORS OF THE DISTILLERY FOR CONSUMPTION OFF THE PREMISES**
5

6 **14B NCAC 15A .2101 PRIOR APPROVAL FROM ABC COMMISSION**

7 (a) Prior to selling spirituous liquor distilled at the distillery on the premises to consumers, a distillery permittee shall
8 submit a written request for approval to the Commission regarding its intent to sell bottles direct to consumers.

9 (b) The Commission shall verify compliance with G.S. 18B-1105(a)(4).

10 (c) Within 15 days of receipt of the request, the Commission shall send written notice to the permittee of approval
11 based on satisfying the requirements in Paragraph (b) of this Rule, or of disapproval and the reasons for disapproval.
12

13 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1105;*

14 *Eff. January 1, 2018.*
15
16

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15A .2102 Retail Sales at Distillery's Permitted Premises	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: August 15, 2017 Link to Agency notice: www.abc.nc.gov Hearing on: November 15, 2017 Adoption by Agency on: November 15, 2017 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2015-98, s. 4(a); S.L. 2015-262, s. 3(a); S.L. 2017-87, s. 1(a) <input type="checkbox"/> Petition for rule-making	
9B. Explain: In 2015 the General Assembly authorized distilleries to sell on their premises as part of a tour of the distillery limited quantities of spirituous liquor distilled at the premises. The annual quantities that can be sold to each consumer was increased in 2017 from 1 bottle to 5 bottles per year. These rules implement the process and requirements for compliance with this statute.	
10. Rule-making Coordinator: Walker Reagan Address: 400 East Tryon Road Raleigh, NC 27610 Phone: 919-779-8367 E-Mail: walker.reagan@abc.nc.gov Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Walker Reagan</div> <hr style="width: 80%; margin: auto;"/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Walker Reagan Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF ADMIN HEARINGS

1 14B NCAC 15A .2102 is adopted as published in 32:04 NCR 157 as follows:
2

3 **14B NCAC 15A .2102 RETAIL SALES AT DISTILLERY'S PERMITTED PREMISES**

4 (a) No retail sales shall be made on the distillery's permitted premises on:

5 (1) New Year's Day;

6 (2) Fourth of July;

7 (3) Labor Day;

8 (4) Thanksgiving Day;

9 (5) Christmas Day;

10 (6) Any Sunday; or

11 (7) Any other day between the hours of 9:00 p.m. and 9:00 a.m.

12 (b) Any distillery employee involved with the sale of spirituous liquor to the consumer shall be at least 18 years of
13 age.

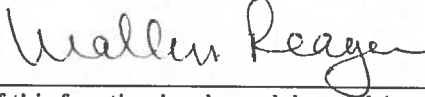
14 (c) Distillery products to be sold directly to consumers shall be stored in a retail area in the permitted premises separate
15 from distillery products to be shipped to the State ABC warehouse for sale to local boards.

16 (d) The distillery permittee shall not sell any bottle of spirituous liquor to a consumer until after the consumer has
17 completed a tour of the distillery.

18
19 *History Note: Authority G.S. 18B-100; 18B-207; 18B-802; 18B-1105;*

20 *Eff. January 1, 2018.*
21

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Alcoholic Beverage Control Commission	
2. Rule citation & name (name not required for repeal): 14B NCAC 15A .2103 Distillery Record-Keeping	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: August 15, 2017 Link to Agency notice: www.abc.nc.gov Hearing on: November 15, 2017 Adoption by Agency on: November 15, 2017 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact (check all that apply): <input type="checkbox"/> State funds affected <input type="checkbox"/> Environmental permitting of DOT affected and analysis submitted to Board of Transportation <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2015-98, s. 4(a); S.L. 2015-262, s. 3(a); S.L. 2017-87, s. 1(a) <input type="checkbox"/> Petition for rule-making	
9B. Explain: In 2015 the General Assembly authorized distilleries to sell on their premises as part of a tour of the distillery limited quantities of spirituous liquor distilled at the premises. The annual quantities that can be sold to each consumer was increased in 2017 from 1 bottle to 5 bottles per year. These rules implement the process and requirements for compliance with this statute.	
10. Rule-making Coordinator: Walker Reagan Address: 400 East Tryon Road Raleigh, NC 27610 Phone: 919-779-8367 E-Mail: walker.reagan@abc.nc.gov Agency Contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Walker Reagan Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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 OFFICE OF ADMIN HEARINGS

1 14B NCAC 15A .2103 is adopted as published in 32:04 NCR 157 as follows:
2

3 **14B NCAC 15A .2103 DISTILLERY RECORD-KEEPING**

4 The distillery permittee's electronic records, as required by G.S. 18B-1105(a)(4), shall be available for inspection by
5 alcohol law enforcement officers and employees of the Commission at any time an employee of the permittee is
6 present on the permitted premises.

7
8 *History Note: Authority G.S. 18B-100; 18B-207; 18B-1105;*
9 *Eff. January 1, 2018.*
10