

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS15056-MA-276 (03/13)

Short Title: Manufacturer Coupons/Purchasing ABC Products. (Public)

Sponsors: Senator Jones.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO LIMIT MANUFACTURER, BOTTLER, AND WHOLESALER
REBATES AND COUPONS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 10 of Chapter 18B of the General Statutes is amended
by adding a new section to read:

**"§ 18B-1010. Manufacturer, bottler, and wholesaler rebates and coupons
prohibited; restricted use of discounts in advertising.**

(a) It shall be unlawful for any manufacturer, bottler, or wholesaler of any
alcoholic beverages to advertise by means of a coupon or rebate offering a discount off
the purchase of a malt beverage or wine.

(b) Notwithstanding subsection (a) of this section, a permittee who holds an
on-premises or off-premises malt beverage or wine permit under G.S. 18B-1001(1)
through (6), or a wine shop permit under G.S. 18B-1001(16), may advertise by means of
a coupon, a membership card, a discount card, or a retailer's loyalty card in the
following circumstances:

(1) The permittee may provide a discount coupon for use by a customer
when purchasing a malt beverage or wine sold at the permittee's retail
location for off-premises consumption.

(2) The permittee may require a customer to use the permittee's
membership card, discount card, or loyalty card in order for the
customer to receive a discounted price when purchasing a malt
beverage or wine sold at the permittee's retail location for off-premises
consumption.

(3) No discount coupons may be honored for the purchase of an alcoholic
beverage for any individual below 21 years old.

- 1 (4) Advertising for an alcoholic beverage shall not include a coupon
- 2 offering a free alcoholic beverage.
- 3 (5) A discount coupon may not provide a discount exceeding fifty percent
- 4 (50%) of the advertised retail price of the item.
- 5 (6) A permittee shall not advertise or distribute discount coupons in a
- 6 publication produced for or by a higher education institution.
- 7 (7) In any advertisement displaying a discount coupon, the permittee shall
- 8 include the following statement in close proximity and in a similar font
- 9 to the discount coupon "Drink Responsibly-Be 21."
- 10 (c) Scope. – This section shall not authorize cooperation between a retailer and
- 11 an industry member in violation of G.S. 18B-1116.
- 12 (d) A violation of this section is a Class 2 misdemeanor."
- 13 **SECTION 2.** This act becomes effective December 1, 2007, and applies to
- 14 offenses committed on or after that date.