

Slotting Fee  
Cash  
Meals  
Slotting Allowance  
Equipment and Supplies  
Retailer Donations  
Entertainment  
Gift Certificates  
Promotional Events  
Advertising  
Enforcement  
Drawings  
Coupons  
Consumer Tastings  
Cider  
Rotating  
Pricing Services  
MERCHANDISING  
TRADE PRACTICES  
Product Displays  
Channel Pricing  
Category Management  
Enforcement  
Advertising Specialties  
Private Labels  
Stock  
Cider  
Volume Discounts  
Drawings  
Promotional Events  
Combination Packaging  
Sweepstakes  
Gift Certificates  
Educational Seminars  
Social Media  
Coupons  
Contests  
Rotating  
Stock  
Category Management

## Social Media Advertising<sup>1,2</sup>

May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums? No

<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

## Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>

May a manufacturer or distributor stock its products at a retail premises in any of the following ways? Beer suppliers may do all. Wine and distilled spirits suppliers are limited to building floor displays and moving their product(s) between cold boxes & permanent shelves and moving product(s) on the shelves themselves. Additionally, wine and distilled spirits suppliers cannot re-supply products from storeroom to permanent shelves and price marking of products is prohibited.

May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing? Yes

In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises? No

On a full store reset, may a manufacturer or distributor reset the products of a competitor? No. This is not permitted.

<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer's back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

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## SERVICES PROVIDED TO RETAILERS

*Jurisdiction's allowances or restrictions on services that may be provided to a retailer or by a manufacturer or distributor*

### Manufacturer/Distributor Advertising Beneficial to a Retailer<sup>1,2</sup>

May a manufacturer or distributor make advertisements beneficial to a retailer?	Yes. Only for specific events.
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May a manufacturer or distributor list the name or address of only one retailer where their brands may be purchased?	No
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May a manufacturer or distributor list the name or address of two or more retailers where their brands may be purchased?	Yes
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<sup>1</sup> Definition: Advertising in traditional mediums of print media, radio or TV, or on manufacturer or distributor websites that benefit the retailer

<sup>2</sup> Example: Manufacturer or distributor advertisements that advertise an event at retail premises, make laudatory references about the retailer, advertise the retail price at a specific retail premises, or list the retailer's name and/or address

### Social Media Advertising<sup>1,2</sup>

May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums?	Yes
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<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

### Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>

May a manufacturer or distributor stock its products at a retail premises in any of the following ways?	Back room to shelf; Back room to product display; Back room to floor display or case stacker; Back room to cold box or cooler; Product or floor display to back room; Product or floor display to shelf; Product or floor display to cold box or cooler
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May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?	Yes
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In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?	No
On a full store reset, may a manufacturer or distributor reset the products of a competitor?	If the retailer gives the manufacturer/distributor permission to reset competitor products

<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer’s back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

## Category Management Programs<sup>1</sup>

In a category management partnership between a manufacturer or distributor and a retailer, if the aggregate services provided by the manufacturer or distributor’s category captain to a retailer exceed the individual services allowed by state law, does an exception exist by law, regulation, or policy to allow for those extra services if in the context of a category management program?	No
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<sup>1</sup> Definition: Generally, the provision of a broad range of services provided by a manufacturer or distributor to a retailer through a category captain or validator, to maximize, in part, retail profits from the total sales of the category

## Educational Seminars<sup>1,2</sup>

May a manufacturer or distributor conduct educational seminars for retailer or their employees? If so, where may they be held?	There is no restriction on the location.
May a manufacturer or distributor also provide nominal hospitality?	Yes
May a manufacturer or distributor pay retailer expenses in conjunction with the seminar, such as travel and/or lodging?	No. Only nominal ground transportation is allowed.

<sup>1</sup> Definition: Industry relevant training provided by a manufacturer or distributor to retail licensees or their employees

<sup>2</sup> Example: Training on how to tap a keg, education on the manufacturer’s history or product techniques or product familiarization, etc.

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<p>May a manufacturer or distributor list the name or address or two or more retailers where their brands may be purchased?</p>	<p>Have adopted Federal “Tied House” Exceptions (27 CFR 6.98). Florida Administrative Code Rule 61A-1.01015.</p>
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<sup>1</sup> Definition: Advertising in traditional mediums of print media, radio or TV, or on manufacturer or distributor websites that benefit the retailer

<sup>2</sup> Example: Manufacturer or distributor advertisements that advertise an event at retail premises, make laudatory references about the retailer, advertise the retail price at a specific retail premises, or list the retailer’s name and/or address

## Social Media Advertising<sup>1,2</sup>

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<p>May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums?</p>	<p>Yes</p>
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<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

## Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>

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<p>May a manufacturer or distributor stock its products at a retail premises in any of the following ways?</p>	<p>Beer and wine can be serviced but spirits cannot. Please refer to Fla. Stat. 561.424 and 561.423</p>
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<p>May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?</p>	<p>Please refer to Fla. Stat. 561.424 and 561.423</p>
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<p>In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?</p>	<p>Yes</p>
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<b>On a full store reset, may a manufacturer or distributor reset the products of a competitor?</b>	If the retailer gives the manufacturer/distributor permission to reset competitor products
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<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer’s back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

### Category Management Programs<sup>1</sup>

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<b>In a category management partnership between a manufacturer or distributor and a retailer, if the aggregate services provided by the manufacturer or distributor’s category captain to a retailer exceed the individual services allowed by state law, does an exception exist by law, regulation, or policy to allow for those extra services if in the context of a category management program?</b>	No
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<sup>1</sup> Definition: Generally, the provision of a broad range of services provided by a manufacturer or distributor to a retailer through a category captain or validator, to maximize, in part, retail profits from the total sales of the category

### Educational Seminars<sup>1,2</sup>

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<b>May a manufacturer or distributor conduct educational seminars for retailer or their employees? If so, where may they be held?</b>	Florida Administrative Code Rule 61A-1.01017
<b>May a manufacturer or distributor also provide nominal hospitality?</b>	Yes
<b>May a manufacturer or distributor pay retailer expenses in conjunction with the seminar, such as travel and/or lodging?</b>	No

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<sup>1</sup> Definition: Industry relevant training provided by a manufacturer or distributor to retail licensees or their employees

<sup>2</sup> Example: Training on how to tap a keg, education on the manufacturer’s history or product techniques or product familiarization, etc.

### Volume Discounts and “No Charge” Products<sup>1,2</sup>

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<b>May a manufacturer or distributor offer a volume discount to a retailer?</b>	Yes
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## SERVICES PROVIDED TO RETAILERS

*Jurisdiction's allowances or restrictions on services that may be provided to a retailer or by a manufacturer or distributor*

### Manufacturer/Distributor Advertising Beneficial to a Retailer<sup>1,2</sup>

May a manufacturer or distributor make advertisements beneficial to a retailer?	Have adopted Federal "Tied House" Exceptions (27 CFR 6.98)
May a manufacturer or distributor list the name or address of only one retailer where their brands may be purchased?	No
May a manufacturer or distributor list the name or address of two or more retailers where their brands may be purchased?	Have adopted Federal "Tied House" Exceptions (27 CFR 6.98)

<sup>1</sup> Definition: Advertising in traditional mediums of print media, radio or TV, or on manufacturer or distributor websites that benefit the retailer

<sup>2</sup> Example: Manufacturer or distributor advertisements that advertise an event at retail premises, make laudatory references about the retailer, advertise the retail price at a specific retail premises, or list the retailer's name and/or address

222

### Social Media Advertising<sup>1,2</sup>

May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums?	No
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<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

### Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>

May a manufacturer or distributor stock its products at a retail premises in any of the following ways?	Have adopted Federal "Tied House" Exceptions (27 CFR 6.99)
May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?	Yes
In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?	No

On a full store reset, may a manufacturer or distributor reset the products of a competitor?	Have adopted Federal “Tied House” Exceptions (27 CFR 6.99)
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<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer’s back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

**Category Management Programs<sup>1</sup>**

In a category management partnership between a manufacturer or distributor and a retailer, if the aggregate services provided by the manufacturer or distributor’s category captain to a retailer exceed the individual services allowed by state law, does an exception exist by law, regulation, or policy to allow for those extra services if in the context of a category management program?	No
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<sup>1</sup> Definition: Generally, the provision of a broad range of services provided by a manufacturer or distributor to a retailer through a category captain or validator, to maximize, in part, retail profits from the total sales of the category

**Educational Seminars<sup>1,2</sup>**

May a manufacturer or distributor conduct educational seminars for retailer or their employees? If so, where may they be held?	Yes
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May a manufacturer or distributor also provide nominal hospitality?	Yes
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May a manufacturer or distributor pay retailer expenses in conjunction with the seminar, such as travel and/or lodging?	No
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<sup>1</sup> Definition: Industry relevant training provided by a manufacturer or distributor to retail licensees or their employees

<sup>2</sup> Example: Training on how to tap a keg, education on the manufacturer’s history or product techniques or product familiarization, etc.

**Volume Discounts and “No Charge” Products<sup>1,2</sup>**

May a manufacturer or distributor offer a volume discount to a retailer?	No
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May a manufacturer or distributor provide free/discounted non-alcohol products as a method to secure placement of alcohol products? No

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<sup>1</sup> Definition: Generally, the provision of consideration to a retailer conditioned on the placement of alcohol beverages at the retail premises after purchase

<sup>2</sup> Example: Consideration may be cash, anything of value or any service so conditioned. Placement may include premium shelf facings, floor display space, placement in the well or back bar, inclusion in kiosks or serving carts at special events, etc. for supplier brands, etc.

## Meals and Entertainment Provided to Retailers<sup>1</sup>

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May a manufacturer or distributor provide meals and/or entertainment to a retailer? Yes. Under MCL 436.1609, they can provide “sporting event or entertainment tickets” to a retail licensee.

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<sup>1</sup> Definition: The purchase of meals or the providing of tickets to entertainment by a manufacturer or distributor to a retailer, either for purposes of conducting business discussion or enjoyment and relaxation

## SERVICES PROVIDED TO RETAILERS

*Jurisdiction’s allowances or restrictions on services that may be provided to a retailer or by a manufacturer or distributor*

### Manufacturer/Distributor Advertising Beneficial to a Retailer<sup>1,2</sup>

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May a manufacturer or distributor make advertisements beneficial to a retailer? No. Administrative rule R 436.1319 prohibits “cooperative advertising”.

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May a manufacturer or distributor list the name or address of only one retailer where their brands may be purchased? No

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May a manufacturer or distributor list the name or address of two or more retailers where their brands may be purchased? No

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<sup>1</sup> Definition: Advertising in traditional mediums of print media, radio or TV, or on manufacturer or distributor websites that benefit the retailer

<sup>2</sup> Example: Manufacturer or distributor advertisements that advertise an event at retail premises, make laudatory references about the retailer, advertise the retail price at a specific retail premises, or list the retailer’s name and/or address

## Social Media Advertising<sup>1,2</sup>

May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums?	No. SLA Rule 86.10 applies regardless of advertising medium utilized.
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<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

## Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>

May a manufacturer or distributor stock its products at a retail premises in any of the following ways?	Only beer may be rotated at retail premises (may be traded out for same brand and trade name product within 30 days of any expiration date appearing on label) as per Opinion of Counsel 2008-01 “Out-of-code” beer.
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May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?	Yes. Beer only.
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In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?	No
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On a full store reset, may a manufacturer or distributor reset the products of a competitor?	If the retailer gives the manufacturer/distributor permission to reset competitor products. As per “Plan-A-Gram” Declaratory Ruling of Sept. 2, 1998, all wholesalers selling to retailer are entitled to notice of any planned reset at that retailer and must be given same access to proprietary sales data of that retailer and opportunity to be heard prior to reset.
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<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer’s back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

## Category Management Programs<sup>1</sup>

<p>In a category management partnership between a manufacturer or distributor and a retailer, if the aggregate services provided by the manufacturer or distributor’s category captain to a retailer exceed the individual services allowed by state law, does an exception exist by law, regulation, or policy to allow for those extra services if in the context of a category management program?</p>	<p>No</p>
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<sup>1</sup> Definition: Generally, the provision of a broad range of services provided by a manufacturer or distributor to a retailer through a category captain or validator, to maximize, in part, retail profits from the total sales of the category

## Educational Seminars<sup>1,2</sup>

<p>May a manufacturer or distributor conduct educational seminars for retailer or their employees? If so, where may they be held?</p>	<p>See ABCL Sec. 101(1)(c) - “Dinners, conventions, trade shows, product tastings....”</p>
<p>May a manufacturer or distributor also provide nominal hospitality?</p>	<p>Yes. See ABCL Sec. 101(1)(c).</p>
<p>May a manufacturer or distributor pay retailer expenses in conjunction with the seminar, such as travel and/or lodging?</p>	<p>No. A shared cab ride has in the past been deemed reasonable by certain Members of the Authority.</p>

<sup>1</sup> Definition: Industry relevant training provided by a manufacturer or distributor to retail licensees or their employees

<sup>2</sup> Example: Training on how to tap a keg, education on the manufacturer’s history or product techniques or product familiarization, etc.

May a manufacturer or distributor list the name or address or two or more retailers where their brands may be purchased? No

<sup>1</sup> Definition: Advertising in traditional mediums of print media, radio or TV, or on manufacturer or distributor websites that benefit the retailer

<sup>2</sup> Example: Manufacturer or distributor advertisements that advertise an event at retail premises, make laudatory references about the retailer, advertise the retail price at a specific retail premises, or list the retailer’s name and/or address

### Social Media Advertising<sup>1,2</sup>

May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums? No

<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

390

### Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>

May a manufacturer or distributor stock its products at a retail premises in any of the following ways? Back room to shelf; Back room to product display; Back room to floor display or case stacker; Back room to cold box or cooler; Product or floor display to back room; Product or floor display to shelf; Product or floor display to cold box or cooler. Malt beverage or wine only.

May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing? Yes

In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises? No

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On a full store reset, may a manufacturer or distributor reset the products of a competitor? Did not respond

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<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer’s back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

## Category Management Programs<sup>1</sup>

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In a category management partnership between a manufacturer or distributor and a retailer, if the aggregate services provided by the manufacturer or distributor’s category captain to a retailer exceed the individual services allowed by state law, does an exception exist by law, regulation, or policy to allow for those extra services if in the context of a category management program? No

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<sup>1</sup> Definition: Generally, the provision of a broad range of services provided by a manufacturer or distributor to a retailer through a category captain or validator, to maximize, in part, retail profits from the total sales of the category

## Educational Seminars<sup>1,2</sup>

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May a manufacturer or distributor conduct educational seminars for retailer or their employees? If so, where may they be held? On premises or off premises

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May a manufacturer or distributor also provide nominal hospitality? No

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May a manufacturer or distributor pay retailer expenses in conjunction with the seminar, such as travel and/or lodging? No

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<sup>1</sup> Definition: Industry relevant training provided by a manufacturer or distributor to retail licensees or their employees

<sup>2</sup> Example: Training on how to tap a keg, education on the manufacturer’s history or product techniques or product familiarization, etc.

## Volume Discounts and “No Charge” Products<sup>1,2</sup>

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May a manufacturer or distributor offer a volume discount to a retailer? No

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**Social Media Advertising<sup>1,2</sup>**

May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums?	No
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<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

**Manufacturer/Distributor Merchandises Services: Stock/Rotating/  
Pricing<sup>1,2</sup>**

May a manufacturer or distributor stock its products at a retail premises in any of the following ways?	Back room to product display; Back room to floor display or case stacker; Product or floor display to shelf; Product or floor display to cold box or cooler
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May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?	Yes
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In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?	No
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On a full store reset, may a manufacturer or distributor reset the products of a competitor?	No
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<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer's back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

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<p>May a manufacturer or distributor list the name or address or two or more retailers where their brands may be purchased?</p>	<p>A supplier must list all retailers without discrimination per Oregon Administrative Rule 845-013-0040(2)</p>
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<sup>1</sup> Definition: Advertising in traditional mediums of print media, radio or TV, or on manufacturer or distributor websites that benefit the retailer

<sup>2</sup> Example: Manufacturer or distributor advertisements that advertise an event at retail premises, make laudatory references about the retailer, advertise the retail price at a specific retail premises, or list the retailer’s name and/or address

## **Social Media Advertising<sup>1,2</sup>**

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<p>May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums?</p>	<p>No</p>
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<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

## **Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>**

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<p>May a manufacturer or distributor stock its products at a retail premises in any of the following ways?</p>	<p>Have adopted Federal “Tied House” Exceptions (27 CFR 6.99)</p>
<p>May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?</p>	<p>Yes</p>
<p>In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?</p>	<p>No</p>

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<p>On a full store reset, may a manufacturer or distributor reset the products of a competitor?</p>	<p>If the competitor has not shown up for the reset. If the retailer gives the manufacturer/distributor permission to reset competitor products.</p>
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<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer’s back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

## Category Management Programs<sup>1</sup>

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<p>In a category management partnership between a manufacturer or distributor and a retailer, if the aggregate services provided by the manufacturer or distributor’s category captain to a retailer exceed the individual services allowed by state law, does an exception exist by law, regulation, or policy to allow for those extra services if in the context of a category management program?</p>	<p>No</p>
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<sup>1</sup> Definition: Generally, the provision of a broad range of services provided by a manufacturer or distributor to a retailer through a category captain or validator, to maximize, in part, retail profits from the total sales of the category

## Educational Seminars<sup>1,2</sup>

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<p>May a manufacturer or distributor conduct educational seminars for retailer or their employees? If so, where may they be held?</p>	<p>Retail premises, conventions. See OAR 845-013-0010(8)</p>
<p>May a manufacturer or distributor also provide nominal hospitality?</p>	<p>Yes. If requirements in OAR 845-013-0010 (2) are met.</p>
<p>May a manufacturer or distributor pay retailer expenses in conjunction with the seminar, such as travel and/or lodging?</p>	<p>No</p>

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<sup>1</sup> Definition: Industry relevant training provided by a manufacturer or distributor to retail licensees or their employees

<sup>2</sup> Example: Training on how to tap a keg, education on the manufacturer’s history or product techniques or product familiarization, etc.



## Manufacturer/Distributor Merchandises Services: Stock/Rotating/ Pricing<sup>1,2</sup>

<p>May a manufacturer or distributor stock its products at a retail premises in any of the following ways?</p>	<p>Placing on floor or in a cooler is acceptable. Any time-consuming conduct is prohibited by 40 Pa Code Section 13.51 and 47 P.S. Section 443(f). Setting up displays, rotating stock and/or other incidentals of operating a beer distributor or retail dispenser are time-consuming and can be expensive in terms of wages. It would be permissible to unload a delivery into areas designated by the distributor/importing distributor or retail dispenser; other conduct (taking inventory, stocking empty cooler shelves, rotating stock, filling or building displays, rearranging location of stock on the sales floor) would be prohibited.</p>
<p>May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?</p>	<p>No</p>
<p>In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?</p>	<p>No</p>
<p>On a full store reset, may a manufacturer or distributor reset the products of a competitor?</p>	<p>Did not respond</p>

<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer's back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

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**SERVICES PROVIDED TO RETAILERS**

*Jurisdiction's allowances or restrictions on services that may be provided to a retailer or by a manufacturer or distributor*

**Manufacturer/Distributor Advertising Beneficial to a Retailer<sup>1,2</sup>**

May a manufacturer or distributor make advertisements beneficial to a retailer?	Have adopted Federal “Tied House” Exceptions (27 CFR 6.98)
May a manufacturer or distributor list the name or address of only one retailer where their brands may be purchased?	No
May a manufacturer or distributor list the name or address of two or more retailers where their brands may be purchased?	No

<sup>1</sup> Definition: Advertising in traditional mediums of print media, radio or TV, or on manufacturer or distributor websites that benefit the retailer

<sup>2</sup> Example: Manufacturer or distributor advertisements that advertise an event at retail premises, make laudatory references about the retailer, advertise the retail price at a specific retail premises, or list the retailer’s name and/or address

**Social Media Advertising<sup>1,2</sup>**

May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums?	No
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<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

**Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>**

May a manufacturer or distributor stock its products at a retail premises in any of the following ways?	Have adopted Federal “Tied House” Exceptions (27 CFR 6.99)
May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?	Yes
In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?	No

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On a full store reset, may a manufacturer or distributor reset the products of a competitor?	Have adopted Federal “Tied House” Exceptions (27 CFR 6.99)
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<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer’s back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.

## Category Management Programs<sup>1</sup>

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In a category management partnership between a manufacturer or distributor and a retailer, if the aggregate services provided by the manufacturer or distributor’s category captain to a retailer exceed the individual services allowed by state law, does an exception exist by law, regulation, or policy to allow for those extra services if in the context of a category management program?	No
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<sup>1</sup> Definition: Generally, the provision of a broad range of services provided by a manufacturer or distributor to a retailer through a category captain or validator, to maximize, in part, retail profits from the total sales of the category

## Educational Seminars<sup>1,2</sup>

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May a manufacturer or distributor conduct educational seminars for retailer or their employees? If so, where may they be held?	Yes
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May a manufacturer or distributor also provide nominal hospitality?	Yes
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May a manufacturer or distributor pay retailer expenses in conjunction with the seminar, such as travel and/or lodging?	Yes
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<sup>1</sup> Definition: Industry relevant training provided by a manufacturer or distributor to retail licensees or their employees

<sup>2</sup> Example: Training on how to tap a keg, education on the manufacturer’s history or product techniques or product familiarization, etc.

## Volume Discounts and “No Charge” Products<sup>1,2</sup>

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May a manufacturer or distributor offer a volume discount to a retailer?	No
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## Social Media Advertising<sup>1,2</sup>

May a manufacturer or distributor utilize social media to provide information to the public that benefits an individual retailer if that information were not allowed in traditional advertising mediums?	No
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<sup>1</sup> Definition: In general, communication on any social media platform between manufacturer or distributor personnel and the public to the benefit of a specific retailer

<sup>2</sup> Example: Facebook, Twitter, Instagram, etc

## Manufacturer/Distributor Merchandises Services: Stock/Rotating/Pricing<sup>1,2</sup>

May a manufacturer or distributor stock its products at a retail premises in any of the following ways?	Did not respond
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May a manufacturer or distributor rotate its products on the retail shelf to move products with older product code dates from the rear to the front of the shelf facing?	Yes
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In addition to stocking, rotating, and pricing its products at a retail premises, can a manufacturer or distributor also stock, rotate, or price competitor brands at the retail premises?	Yes. With a 48 hours advance notice to all distributors. WAC 314-12-140.
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On a full store reset, may a manufacturer or distributor reset the products of a competitor?	If the competitor has not shown up for the reset. If the retailer gives the manufacturer/distributor permission to reset competitor products. WAC 314-12-140.
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<sup>1</sup> Definition: Stocking is the act of a manufacturer or distributor moving its products from the retailer's back room to any shelf, display, cooler/cold box or any other retail sales location, or the breaking down of its products from floor or product displays to the back room, or the reset of its products from old to new facings on the retail shelf. Rotating is the act of a manufacturer or distributor moving its products from the rear to the front of the shelf facing, so that older product will be the next one sold. Pricing is affixing the retail price to alcohol beverage containers manufactured or sold to the retailer.

<sup>2</sup> Example: A manufacturer or distributor stocking a floor or product display, or shelf with its products, or breaking down its products from an expired display to the retail shelf or back room, or moving its products from their current shelf facings to new shelf facings as part of a retailer determined shelf reset, etc.