Michigan Department of Labor & Economic Growth
Liquor Control Commission

INTER-OFFICE CORRESPONDENCE

January 12, 2011

DATE

TO: Manufacturers & Wholesalers Section TW
Licensing Division

FROM: Administrative Commissioners

SUBJECT: Wholesalers
Wine Makers/Small Wine Makers 2011 Product Adjustments

IT IS THE ORDER OF THE COMMISSION THAT WHOLESALERS, WINE MAKERS AND SMALL WINE MAKERS MAY MAKE ALCOHOLIC LIQUOR PRODUCT ADJUSTMENTS TO RETAIL LICENSEES FOR BEER, WINE AND MIXED SPIRIT DRINK FOR THE 2011 CALENDAR YEAR PURSUANT TO RULE 436.1633 AND RULE 436.1735(5). PRODUCT ADJUSTMENTS MAY BE BY REFUND IN THE AMOUNT PAID FOR THE PRODUCT BY THE RETAIL LICENSEE OR PRODUCT REPLACEMENT OF LIKE PRODUCT ON A ONE-FOR-ONE BASIS. WHOLESALERS, WINE MAKERS, AND RETAILERS ARE RESPONSIBLE FOR MAINTAINING ADEQUATE RECORDS FOR ALL PRODUCT ADJUSTMENTS.

APPROVED REASONS FOR ALCOHOLIC BEVERAGE PRODUCT ADJUSTMENTS ARE:

1 OUTDATED PRODUCT
2. SEASONAL CLOSING OF RETAIL LICENSEE
3. RETAIL LICENSEE GOING OUT OF BUSINESS OR PLACING LICENSE IN ESCROW
4. DRIVER/SALESPERSON DELIVERY ERROR
5. ORDER ERROR BY RETAIL LICENSEE
6. DISCONTINUANCE OF BRAND BY SUPPLIER
7. LICENSE SUSPENSION OR REVOCATION
8. SHORT FILL
9. OFF TASTE, OFF COLOR, SEDIMENT IN PRODUCT, ADULTERATED PRODUCT, CONTAMINATED PRODUCT, OR SPOILED PRODUCT
10. BREAKERS OR LEAKERS AT THE TIME OF DELIVERY
11. IRS OR MICHIGAN DEPARTMENT OF TREASURY SEIZURE
12. SALEABLE PRODUCT NOT USED BY A SPECIAL LICENSEE

IT IS THE FURTHER ORDER OF THE COMMISSION THAT BEER WHOLESALERS MAY EXCHANGE LIKE PRODUCTS WITH RETAIL LICENSEES, ON A ONE-FOR-ONE BASIS, FOR BEER PRODUCTS NEARING OUT-OF-DATE CODE. WHOLESALERS ARE STRICTLY PROHIBITED FROM MAKING ADJUSTMENTS IN THE FORM OF CASH OR CREDIT REFUNDS ON BEER PRODUCTS NEARING OUT-OF-DATE CODE. ADJUSTMENTS FOR BEER PRODUCTS NEARING OUT-OF-DATE CODE ARE LIMITED TO PRODUCT EXCHANGES OF LIKE PRODUCTS ON A ONE-FOR-ONE BASIS.