



BUSINESS MEETING OF THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, November 5, 2013
Lansing District Office
7150 Harris Drive
Lansing MI 48909

Present: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

Absent: None

Staff: Julie Wendt, Director of Executive Services Division
Steve Robinson, Director of Finance Division
Kerry Krone, Business Manager
Barb Subastian, Regional Enforcement Supervisor
Gerald Whalen, 1st Assistant Attorney Generals Office
Anita Fawcett, Executive Services Division

The meeting was called to order by Chairman Deloney at 9:38 a.m., noting a quorum was present.

- I. **Moved by Commissioner Olshove, supported by Commissioner Quimby, that the minutes of the Closed Session meeting of October 2, 2013 and the minutes of the Commission meeting of October 15, 2013, be approved as written and presented, motion carried by unanimous vote.**
- II. Mr. Robinson presented the E-Quote reports for product listings in four categories and requested approval of the following:
 - A. That the products listed below be granted exceptions to the standard pack size, inasmuch as the items are packaged nationally or meet other exceptions as indicated and be approved for listing in the approved products list effective December 1, 2013:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Bacardi U.S.A., Inc. (General Wine & Liquor Co.)	200ml Bacardi Variety 4 Pk Rum	24 Bottles
Castle Brands (USA) Corp. (General Wine & Liquor Co.)	750ml Castello Mio Espresso Superior	6 Bottles
	750ml Castello Mio Superiore	6 Bottles

Chatham Imports, Inc. (NWS Michigan, Inc.)	750ml Jeffersons Chefs Collaboration	6 Bottles
	750ml Crop Organic Meyer Lemon Vodka	6 Bottles
	750ml Michter's American Whiskey	6 Bottles
	750ml Michter's Bourbon	6 Bottles
	750ml Michter's Bourbon – 10 yr	3 Bottles
	750ml Michter's Bourbon – 20 yr	1 Bottle
	750ml Michter's Sour Mash Whiskey	6 Bottles
Domaine Select Wine Estates LLC (General Wine & Liquor Co.)	750ml Michter's Straight Rye	6 Bottles
	750ml Avena Cream	6 Bottles
Dry Fly Distilling Inc (NWS Michigan, Inc.)	375ml Dry Fly Bourbon 101	6 Bottles
	375ml Dry Fly Cask Wheat Whiskey	6 Bottles
	375ml Dry Fly Port Finish Wheat	6 Bottles
	375ml Dry Fly Straight Triticale	6 Bottles
Four Roses Distillery LLC (General Wine & Liquor Co.)	750ml Four Roses Ltd Ed Sm Batch 2013	6 Bottles
	750ml Four Roses Sngl Bl Private Sel	6 Bottles
Sidney Frank Importing Co., Inc. (General Wine & Liquor Co.)	750ml Barenjager Honey & Pear	6 Bottles
Frank-Lin Distillers Products, Ltd. (NWS Michigan, Inc.)	750ml Buck 8 yr Bourbon	6 Bottles
Le Vecke Corporation (General Wine & Liquor Co.)	750ml Full Throttle Moonshine Whiskey	6 Bottles
MHW, Ltd. (General Wine & Liquor Co.)	750ml Passion XO Blue Cocktail	6 Bottles
	750ml Passion XO Pink Cocktail	6 Bottles
	750ml Passion XO Sun Cocktail	6 Bottle
MHW, Ltd. (NWS Michigan, Inc.)	375ml Kweichow Moutai	12 Bottles
Oola Industries, LLC (NWS Michigan, Inc.)	750ml Oola Chili Pepper Vodka	6 Bottles
	750ml Oola Citrus Vodka	6 Bottles
	750ml Oola Rosemary Vodka	6 Bottles
Park Street Imports LLC (General Wine & Liquor Co.)	750ml Voli Lgt Espresso Vanilla Fusion	6 Bottles
	1000ml Voli Lgt Espresso Vanilla Fusion	6 Bottles
	1000ml Voli Lgt Orange Vanilla Fusion	6 Bottles
	750ml Voli Lgt Raspberry Cocoa Fusion	6 Bottles
	1000ml Volt Lgt Raspberry Cocoa Fusion	6 Bottles
	750ml Voli Light Lemon Vodka	6 Bottles
	1000ml Voli Light Lemon Vodka	6 Bottles
	750ml Voli Light Original Vodka	6 Bottles
1000ml Voli Light Original Vodka	6 Bottles	
Pernod Ricard USA, LLC (NWS Michigan, Inc.)	750ml Avion Extra Anejo Reserva 44	4 Bottles

Phillips Products Co., LLC (General Wine & Liquor Co.)	750ml Tomatin Cu Bocan Scotch	6 Bottles
	750ml Tomatin Legacy Scotch	6 Bottles
	50ml UV Sriracha PL Vodka	60 Bottles
RJR Spirits, LLC (General Wine & Liquor Co.)	750ml Charred Oak Bbn Whiskey	6 Bottles
	750ml Charred Oak Rye Whiskey	6 Bottles
Skyy Spirits, LLC (General Wine & Liquor Co.)	1000ml Wild Turkey Rye 101	6 Bottles
The Country Vintner, Inc. (NWS Michigan, Inc.)	750ml Vilya Spirits Absinthe Verte	6 Bottles
	750ml Vilya Spirits Silvertip Gin	6 Bottles
The Old Pogue Distillery, LLC (NWS Michigan, Inc.)	750ml Old Pogue Master's Select Bourbon	6 Bottles
Diageo Americas, Inc. (NWS Michigan, Inc.)	750ml Johnnie Walker Odyssey Scotch	2 Bottles
	750ml Talisker 1985 Scotch	6 Bottles

B. That the following requests for addition of product to the approved products list be approved for listing, effective December 1, 2013:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Le Vecke Corporation (General Wine & Liquor Co.)	750ml Full Throttle XXX Apple	12 Bottles
	750ml Bull Throttle XXX Blackberry	12 Bottles
	750ml Full Throttle XXX Peach	12 Bottles
	750ml Full Throttle XXX Strawberry	12 Bottles
	750ml Full Throttle XXX Vanilla	12 Bottles
	1000ml Jesse James Bourbon	12 Bottles
	1750ml Jesse James Bourbon	6 Bottles
	750ml Jesse James Honey	12 Bottles
	750ml Jesse James PL Bourbon	12 Bottles
	750ml Jesse James Spiced	12 Bottles
MHW Ltd. (General Wine & Liquor Co.)	750ml The Fat Trout Whisky	12 Bottles
	1750ml The Fat Trout Whisky	6 Bottles
Mid-Oak Distillery, Inc. (NWS Michigan, Inc.)	750ml CD Chocolate Mint Flavored Vodka	12 Bottles
	750ml CD Lemon Flavored Vodka	12 Bottles
	750ml CD Peach Flavored Vodka	12 Bottles
	750ml CD Pineapple Flavored Vodka	12 Bottles
	750ml CD Raspberry Flavored Vodka	12 Bottles
	750ml CD Vanilla Flavored Vodka	12 Bottles
	750ml CD Vodka	12 Bottles
Oola Industries, LLC (NWS Michigan, Inc.)	750ml Oola Gin	12 Bottles
	750ml Oola Vodka	12 Bottles
	750ml Oola Waitsburg Bbn Whiskey	12 Bottles
	750ml Oola Waitsburg Brrl Finish Gin	12 Bottles

Phillips Products Co., LLC (General Wine & Liquor Co.)	750ml UV Sriracha Flavored Vodka	12 Bottles
	1000ml UV Sriracha Flavored Vodka	12 Bottles
Diageo Americas, Inc. (NWS Michigan, Inc.)	1000ml Captain Morgan White Rum	12 Bottles
	750ml Captain Morgan White Rum	12 Bottles
	750ml George Dickel White Straight Corn	12 Bottles

C. That the following requests for promotional or special packaging be approved for listing, effective December 1, 2013:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Bacardi U.S.A., Inc. (General Wine & Liquor Co.)	750ml Bacardi Grand Melon w/50ml Melon	12 Bottles
	750ml Bacardi Peach Red w/50ml Melon	12 Bottles
Jim Beam Brands Co. (NWS Michigan, Inc.)	50ml Jim Beam Variety PL 4 Pk	120 Bottles
Domaine Select Wine Estates LLC (General Wine & Liquor Co.)	750ml Averna Amaro Siciliano w/4 Gls	6 Bottles
	750ml Averna Cream w/2 Gls	6 Bottles
Heaven Hill Distilleries, Inc. (General Wine & Liquor Co.)	1750ml Evan Wms Blk w/50ml Variety	6 Bottles
MHW Ltd. (General Wine & Liquor Co.)	750ml Leblon W/Caipirinha Mix	6 Bottles
Remy Cointreau USA, Inc. (NWS Michigan, Inc.)	375ml Macallan So w/Book & Print No. 1	1 Bottle
	375ml Macallan So w/Book & Print No. 13	1 Bottle
	375ml Macallan So w/Book & Print No. 15	1 Bottle
	375ml Macallan So w/Book & Print No. 2	1 Bottle
	375ml Macallan So w/Book & Print No. 4	1 Bottle
	375ml Macallan So w/Book & Print No. 5	1 Bottle
	375ml Macallan So w/Book & Print No. 50	1 Bottle
	375ml Macallan So w/Book & Print No. 53	1 Bottle
Sazerac Company, Inc. (NWS Michigan, Inc.)	750ml Fireball w/50ml Chila Orchata	12 Bottles

D. That the following requests for deletion of product from the approved products list be approved for delisting, effective December 1, 2013:

<u>COMPANY</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Jim Beam Brands Co. (NWS Michigan, Inc.)	750ml Vox Raspberry Vodka	6 Bottles
Domaine Select Wine Estates LLC (General Wine & Liquor Co.)	750ml Averna Amaro Siciliano w/4 Gls	12 Bottles
	750ml Averna Cream w/2 Gls	12 Bottles

McCormick Distilling Company, Inc. (General Wine & Liquor Co.)	1000ml 360 Double Chocolate w/8 Shot GlS	6 Bottles
	750ml McCormick's Irish Crm w/Rock GlS	6 Bottles
	750ml Tequila Rose Liq w/2 GlS	6 Bottles
Park Street Imports LLC (General Wine & Liquor Co.)	750ml Voli Lgt Espresso Vanilla Fusion	12 Bottles
	1000ml Voli Lgt Espresso Vanilla Fusion	12 Bottles
	1000ml Voli Lgt Orange Vanilla Fusion	12 Bottles
	750ml Voli Lgt Raspberry Cocoa Fusion	12 Bottles
	1000ml Volt Lgt Raspberry Cocoa Fusion	12 Bottles
	750ml Voli Light Lemon Vodka	12 Bottles
	1000ml Voli Light Lemon Vodka	12 Bottles
	750ml Voli Light Original Vodka	12 Bottles
	1000ml Voli Light Original Vodka	12 Bottles

Moved by Commissioner Olshove, supported by Commissioner Quimby, that the above actions be taken in accordance with the E-Quote reports dated November 4, 2013, motion carried by unanimous vote.

- III. Mr. Robinson presented licensee requests for special price reductions on spirit products in accordance with the provisions of the Commission's Order of September 11, 2012 regarding special price reductions on spirit products, which was effective on January 1, 2013. He advised there were thirty-nine (39) different licensees requesting price reductions; that 777 product price reductions could be approved; and that 10 product price reductions should be denied.

Moved by Commissioner Olshove, supported by Commissioner Quimby, that the 777 special price reductions be approved as indicated on the attached Approval for Price Reduction on Liquor reports, motion carried by unanimous vote.

Moved by Commissioner Olshove, supported by Commissioner Quimby, that the 10 special price reductions be denied for the reasons stated in the attached Notification of Denial for Price Reduction reports, motion carried by unanimous vote.

- IV. Mr. Robinson presented a proposed bulletin for the Authorized Distribution Agent (ADAs) Inventory and Invoice Adjustments. He advised this is an updated listing of invoice adjustment descriptions that are used to make adjustments to the invoice file. Mr. Robinson stated that this is maintenance update to clarify the types of adjustments, when the adjustments should be made and to delete certain adjustments that are no longer used.

Moved by Commissioner Olshove, supported by Commissioner Quimby, that Bulletin No. 2013-09, be approved as written and presented, motion carried by unanimous vote.

- V. Mr. Robinson presented a request from Hood River Distillers, Inc. (Hood), for a Spirit Product Distribution change which would be effective February 3, 2014. He advised that Hood would like to move the distribution of the Lucid brands (total of 4 product codes) from NWS Michigan, Inc. to General Wine & Liquor Co.

Moved by Commissioner Olshove, supported by Chairman Deloney, that Administrative Order 2013-10, regarding the request of Hood River Distillers, Inc., be approved as written and presented, motion carried by unanimous vote.

- VI. Mr. Robinson presented the Michigan Liquor Control Commission (MLCC) 2012 Revenue, Sales and Licensing Statistics book which is compiled by the Finance Division staff. He advised that this book is not something that is required by statute or administrative rules but has been very helpful to the public. Mr. Robinson advised that most of the information included in this book has already been published, but the book compiles the information in one place. He advised we will not be printing any hard copies, but the book will be placed on our website.

Chairman Deloney advised the Commission does not need to approve this publication, and thanked Mr. Robinson and his staff for the hard work and diligence to gather the information needed to complete the book.

- VII. The Commission has received a request from the Michigan Licensed Beverage Association and the Michigan Restaurant Association requesting the MLCC initiate the promulgation of a rule to rescind certain provisions contained in R 436.1321 regulating the use of advertising items with alcoholic beverage logos and the use of items with alcoholic beverage logos that also have a secondary use other than price and brand advertising. Chairman Deloney stated that this request was received under MCL 24.238 of the Administrative Procedures Act which reads: "A person may request an agency to promulgate a rule. Within 90 days after filing of a request, the agency shall initiate the processing of a rule or issue a concise written statement of its principal reasons for denial of the request. The denial of a request is not subject to judicial review." Chairman Deloney advised that this request was received via email on September 17, 2013

Chairman Deloney stated that he believes that the referenced regulations are unnecessary and that the Commission should proceed with the requested rulemaking.

Motion by Chairman Deloney to grant the request made by the Michigan Licensed Beverage Association and the Michigan Restaurant Association to initiate the rulemaking process to rescind those provisions in R 436.1321 regulating the use of items with brand logos that have value, use, or purpose other than actual advertising value and novelty items with brand logos. Supported by Commissioner Olshove, the motion carried by unanimous vote.

Chairman Deloney stated that the Commission will initiate the rulemaking process as provided for in the Administrative Procedures Act.

VIII. Old Business.

There was no Old Business.

IX. New Business.

There was no New Business.

X. Public Comments.

There were no public comments.

With no further business, moved by Commissioner Olshove, supported by Commissioner Quimby, that the business meeting be adjourned at 9:53 a.m., motion carried by unanimous vote.

Anita Fawcett
Executive Services

Andrew J. Deloney
Chairman