



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY
AFFAIRS LIQUOR CONTROL COMMISSION

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In the matter of Distilled Spirit)
Standard Bottle Sizes, Distributed by the)
Authorized Distribution Agents)

General Wine & Liquor Company, Inc.)
373 Victor Avenue)
Highland Park, MI 48203)

NWS Michigan, LLC)
13000 Eckles Road)
Livonia, MI 48150)

Imperial Beverage Company)
3825 Emerald Drive)
Kalamazoo, MI 49001)
_____)

At the April 7, 2020 meeting of the Michigan Liquor Control Commission (Commission) in Lansing, Michigan.

PRESENT: Pat Gagliardi, Chair
Dennis Olshove, Commissioner
Geraldyn A. Lasher, Commissioner

ADMINISTRATIVE ORDER NO. 2020-14
STANDARD BOTTLE SIZES

Article IV, Section 40, of the Constitution of Michigan (1963), permits the Legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. The Commission has the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof, subject to the Liquor Control Code's provisions. MCL 436.1201(2).

Further, the Commission may establish, by order, further business operating procedures for authorized distribution agents (ADAs) relative to the wholesaling and distribution of spirits. Mich Admin Code, R 436.1802(14).

In order to regulate distilled spirit products offered for sale within the state, the Commission finds that Administrative Order 2020-03, which was issued on February 13, 2020, should be amended to address concentrated distilled spirit products.

After review and discussion of these issues at the meeting, the Commission finds that Administrative Order 2020-03, dated February 13, 2020, should be rescinded effective immediately and replaced with this administrative order. The only change to the substantive provisions of Administrative Order 2020-03 is to permit concentrated distilled products in sizes smaller than other standard bottle sizes to be combined to equal a standard bottle size.

THEREFORE, IT IS ORDERED THAT:

- A. Administrative Order 2020-03 issued by the Commission regarding distilled spirit standard bottle sizes is rescinded effective immediately.
- B. Standard bottle size values are 50 milliliters (ML), 100 ML, 200 ML, 375 ML, 750 ML, 1000 ML and 1750 ML.
- C. Each 50 ML, 100 ML, 200 ML, 375 ML, 750 ML, 1000 ML or 1750 ML distilled spirit bottle cannot be composed of smaller sizes to “equal” a standard bottle size, unless the smaller sizes are comprised of concentrated distilled spirits.
- D. The certified ADAs may warehouse and distribute only those standard bottle size values that have been approved by the Commission.
- E. This Administrative Order is effective immediately.
- F. Products currently listed that do not comply with this Order will be delisted effective May 3, 2020, and not available for pickup by or delivery to licensees on or after that date. Products received by licensees prior to May 3, 2020 may continue to be sold by licensees on or after May 3, 2020 until the product is depleted.

MICHIGAN LIQUOR CONTROL COMMISSION



Pat Gagliardi, Chair



Dennis Olshove, Commissioner



GERALYN A. LASHER, Commissioner

Dated: April 7, 2020

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