



ADMINISTRATIVE
MEETING OF THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, February 14, 2012
Lansing District Office

Present: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Donald B. Weatherspoon, Commissioner
Andy Neumann, Director of Administrative Services Division
Julie Wendt, Director of Executive Services Division
Tom Hagan, Director of Enforcement Division
Tim Kovacik, Deputy Director of Executive Services Division
Pam Hamilton, Deputy Director of Finance Division
Barb Subastian, Regional Supervisor of Enforcement Division
Mary Anne Donley, Regional Supervisor of Enforcement Division
Jason Geissler, Assistant Attorney General
Andrea Miller, LARA Communications
April Laverty, Executive Services Division
Anita Fawcett, Executive Services Division

The meeting was called to order by Chairman Deloney at 11:11 a.m., noting a quorum was present.

- I. **Moved by Commissioner Weatherspoon, supported by Commissioner Quimby, that the minutes of the Commission meeting of February 7, 2012, be approved as written and presented, motion carried by unanimous vote.**

- II. Ms. Hamilton 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 April 1, 2012:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Brown-Forman Corporation (General Wine & Liquor Co.)	200ml Woodford Reserve BBN	24 Bottles
Castle Brands (USA) Corp. (General Wine & Liquor Co.)	750ml Jefferson's Pres Select 18 yr.	6 Bottles

Proximo Spirits, Inc. 375ml Kraken Black Spiced Rum 12 Bottles
 (General Wine & Liquor Co.)

B. That the following requests for addition of product to the approved products list be approved for listing, effective April 1, 2012:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Castle Brands (USA) Corp. (NWS Michigan, Inc.)	375ml Travis Hasse's Apple Pie	24 Bottles
Monsieur Henri Wine Company (NWS Michigan, Inc.)	750ml Margaritaville DK Jamaica Rum	12 Bottles
Royal Wine Corporation (General Wine & Liquor Co.)	750ml Schmerling's Chocolate Liqueur	12 Bottles
The Wine Group, Inc. (General Wine & Liquor Co.)	750ml Walders Vodka & Vanilla	12 Bottles
	1750ml Flip Flop Spiced PL Rum	6 Bottles
21 st Century Spirits, LLC (NWS Michigan, Inc.)	750ml Blue Ice G Vodka	12 Bottles
	1000ml Blue Ice G Vodka	12 Bottles
	1750ml Blue Ice G Vodka	6 Bottles
Diageo Americas, Inc. (NWS Michigan, Inc.)	1750ml Captain Morgan Black Spiced Rum	6 Bottles
W.J. Deutsch & Sons, Ltd. (NWS Michigan, Inc.)	750ml Adult Limeade	12 Bottles

That the request of Aquamarine Springs, LLC, holder of 2010 Small Distiller license, for addition of 375ml Big Buck Artisan Rasberi Vodka, case size - 24 Bottles, to the approved products list, be approved for listing, effective April 1, 2012; further prior to any sale and distribution of these products through the Commission's spirit distribution system, Aquamarine Springs, LLC must submit and receive Commission approval for an amended liquor quotation which designates an Authorized Distribution Agent for these products.

C. That the following requests for promotional or special packaging be approved for listing, effective April 1 2012:

<u>COMPANY/ADA</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Jim Beam Brands Co. (NWS Michigan, Inc.)	375ml Courvoisier VS w/50ml Cour C	12 Bottles
Proximo Spirits, Inc. (General Wine & Liquor Co.)	750ml 1800 Reposado w/Pomgr Marg Mix	6 Bottles
	750ml 1800 Silver w/Pomgr Marg Mix	6 Bottles

D. That the following requests for deletion of product from the approved products list be approved for listing, effective April 1, 2012:

<u>COMPANY</u>	<u>PRODUCT</u>	<u>PACK SIZE</u>
Brown-Forman Corporation (General Wine & Liquor Co.)	200ml Woodford Reserve BBN	48 Bottles

Moved by Commissioner Weatherspoon, supported by Commissioner Quimby, that the above actions be taken in accordance with the E-Quote reports dated February 13, 2012, motion carried by unanimous vote.

- III. Ms. Hamilton presented licensee requests for special price reductions on spirit products in accordance with the provisions of the Commission's Order of February 15, 2006 regarding special price reductions on spirit products. She advised there are four different licensees requesting price reductions; that 145 price reductions should be approved; and that 10 price reductions should be denied for the reasons stated in the attached reports.

Moved by Commissioner Weatherspoon, supported by Commissioner Quimby, that the 145 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 Weatherspoon, 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. Chairman Deloney advised that a request for a declaratory ruling was received from Attorney Michael J. Brown on November 22, 2011, on behalf of Tin Can-West Saginaw, LLC, (Tin Can), who holds Class C and Specially Designated Merchant licenses in Eaton County. He stated that at a meeting held on December 20, 2011, the Commission granted the request for a declaratory ruling concerning the legality of Tin Can's "10 for 10 Card" customer loyalty program and specifically whether the program violates §1025 of the Michigan Liquor Control Code of 1998, being MCL 436.2025. Chairman Deloney stated that the declaratory ruling in this matter is limited exclusively to the "10 for 10 Card" program and that the program offered by Tin Can violates the clear and unambiguous language contained in the relevant portions of MCL 436.2025 and MCL 436.2013.

It was Moved by Chairman Deloney, supported by Commissioner Quimby, that the declaratory ruling be issued which states the reasons that the program offered by Tin Can, violates the clear and unambiguous language contained in the relevant portions of MCL 436.2025 and MCL 436.2013, motion carried by unanimous vote.

V. Old Business – There was no old business to conduct.

VI. New Business – There was no new business to conduct.

VII. Public Comments – There were no public comments.

With no further business, moved by Commissioner Weatherspoon, supported by Commissioner Quimby, that the business meeting be adjourned at 11:21 a.m., motion carried by unanimous vote.

Anita Fawcett
Executive Services

Andrew J. Deloney
Chairman