



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

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In the matter of Distilled Spirit Product)
Distribution by the Authorized Distribution)
Agents)

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

NWS Michigan, Inc.)
17550 Allen Road)
Brownstown, MI 48192)

Chinese Import & Export Co.)
1100 Owendale – Suite F)
Troy, MI 48083)

At the April 7, 2015 meeting of the Michigan Liquor Control Commission
(Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Dennis Olshove, Commissioner

ADMINISTRATIVE ORDER NO. 2015-04
DISTILLED SPIRIT PRODUCTS DISTRIBUTION CHANGES

Article IV, Section 40, of the Michigan Constitution (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. MCL 436.1201(2) provides the Commission with 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.

The Commission has before it the issue of Suppliers/Vendors of Spirits moving distilled spirit products between Authorized Distribution Agents (ADAs). To address this issue, the Commission presents this Administrative Order under the authority of the Liquor Control Code, MCL 436.1101 et seq. Specifically, for an ADA to be eligible for appointment by the Commission as an ADA, the ADA must demonstrate that it has entered into a written agreement or contract with a Supplier/Vendor of Spirits for the purpose of warehousing and delivering a brand or brands of spirits of that Supplier/Vendor of Spirits. MCL 436.1205 and R 436.1802.

After review and discussion of this issue at the meeting, the Commission finds that this Administrative Order should be approved to establish requirements for moving distilled spirit products between the ADAs.

THEREFORE, IT IS ORDERED THAT:

- A. Distilled spirit products of Suppliers/Vendors of Spirits may be moved between ADAs no more than four times each calendar year.
- B. The movement of distilled spirit products between the ADAs will be effective on the same quarterly dates that price changes are effective.
- C. An ADA must provide written notice of an ADA Supplier/Vendor of Spirits change to the Commission's Financial Management Division at least 90 days before the effective date of the ADA change.
- D. The ADA's written notice must identify the current ADA of the Supplier/Vendor of Spirits, new ADA, effective date of the change, and

- product names. The notice must also include an ADA contract or addendum and an acknowledgement by the new ADA.
- E. The ADA must ensure that the Supplier/Vendor submits an ADA change quotation in the State's E-quote system for every liquor code being moved.
 - F. The ADA must provide all of the required information and must ensure that all of the required functions are accurately and completely performed at least 90 days before the effective date of the ADA change to prevent a delay in the ADA change.
 - G. This Administrative Order is effective immediately.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Dennis Olshove, Commissioner