



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

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In the matter of)
MANUFACTURER AND WHOLESALER)
WINE PRICE CHANGES)
_____)

At the September 22, 2016 meeting of the Michigan Liquor Control Commission in Southfield, Michigan.

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

ADMINISTRATIVE ORDER NO. 2016-04
MANUFACTURER AND WHOLESALER WINE PRICE 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.

Administrative rule R 436.1726(1) requires manufacturers and wholesalers to file with the Commission, before January 1, April 1, July 1, and October 1 of each year, a schedule of the net cash prices to retail licensees for all wine by kind, type, size, and brand. Administrative rule R 436.1726(2) provides that the prices filed shall not be changed during a quarterly period, unless approved by a written order of the Commission. Approval for a price change shall not be granted for periods of less than fourteen (14) consecutive calendar days in duration. The Commission finds that prices

initially filed with the Commission for new wine products during a quarterly period are not price changes requiring approval under administrative rule R 436.1726(2).

After review and discussion of the issues at the meeting, the Commission finds that all changes to net cash wine prices to retail licensees filed after a manufacturer or wholesaler files a quarterly wine price schedule should be approved pursuant to administrative rule R 436.1726(2) and subject to the manufacturer or wholesaler complying with the provisions of administrative rule R 436.1726.

THEREFORE, IT IS ORDERED that all changes to net cash wine prices to retail licensees filed after a manufacturer or wholesaler files a quarterly wine price schedule are APPROVED as required pursuant to administrative rule R 436.1726(2), subject to the following:

1. A manufacturer or wholesaler shall not change its wine price for a period of less than fourteen (14) consecutive days in duration, pursuant to administrative rule R 436.1726(2).
2. A manufacturer or wholesaler shall not sell wine at a quantity discount, pursuant to administrative rule R 436.1726(4).

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Dennis Olshove, Commissioner