



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

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

_____)

At the December 10, 2020 meeting of the Michigan Liquor Control Commission (Commission).

PRESENT: Dennis Olshove, Commissioner
Geraldyn A. Lasher, Commissioner

ADMINISTRATIVE ORDER 2020-21
RESCINDING ADMINISTRATIVE ORDERS 2019-03 AND 2020-19
CONCERNING APPROVAL TO DISTRIBUTE NEW DISTILLED SPIRIT PRODUCTS

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. 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). The Commission has before it the issue of ADAs acquiring products for warehousing and distribution to Michigan retailers. In December 2019, the Commission issued Administrative Order 2019-03, which requires ADAs to obtain Commission approval to warehouse and distribute new spirits products. In May 2020, the Commission amended that order in Administrative Order 2020-19.

Administrative Order 2019-03 stated that it would expire automatically 18 months after it was issued. After review and discussion of the requirement that ADAs obtain approval before distributing new distilled spirit products, the Commission finds that the approval requirement in Administrative Order 2019-03 should terminate earlier than stated in that order. Thus, the Commission now rescinds that order, as amended through Administrative Order 2020-19. Further, Administrative Order 2020-19 is no longer applicable and should be rescinded.

THEREFORE, IT IS ORDERED THAT:

- A. Administrative Order 2019-03 and Administrative Order 2020-19 are RESCINDED, effective immediately.

MICHIGAN LIQUOR CONTROL COMMISSION



Dennis Olshove, Commissioner



GERALYN A. LASHER, Commissioner