



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

* * * * *

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 November 22, 2022 meeting of the Michigan Liquor Control Commission (Commission) in Lansing, Michigan.

PRESENT: Patrick Gagliardi, Chair
Lee Gonzales, Commissioner

ADMINISTRATIVE ORDER NO. 2022-06
STANDARD BOTTLE SIZES

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.

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).

To better serve retailer licensees, vendors of spirits, and consumers in this state, the Commission finds that the 700 milliliter (ML) bottle size should be added to the current standard bottle sizes available.

After review and discussion of these issues at the meeting, the Commission finds that Administrative Order 2021-03, dated February 4, 2021, should be rescinded and replaced with this administrative order.

THEREFORE, IT IS ORDERED THAT:

- A. Administrative Order 2021-03, dated February 4, 2021, issued by the Commission regarding distilled spirit standard bottle sizes is RESCINDED.
- B. Standard bottle size values are 50 ML, 100 ML, 200 ML, 355 ML, 375 ML, 700 ML or 750 ML (subject to section E below), 1000 ML and 1750 ML.
- C. Each 50 ML, 100 ML, 200 ML, 355 ML, 375 ML, 700ML, 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. A vendor/supplier may register a 700 ML bottle size for ADAs to warehouse and distribute subject to the following:
 1. Starting December 8, 2022, a vendor/supplier may submit in EQuote a new 700 ML item for consideration.
 - a. Items quoted between December 8, 2022 and December 30, 2022 are for a January 29, 2023 effective date.
 - b. EQuote will not accept new item quotes until December 8, 2022.
 - c. All new subsequent 700 ML submissions in EQuote will conform to the normal monthly schedule.
 2. The Commission will not allow identical products to be available in 700ML

and 750ML bottle sizes, except as provided below:

- a. A vendor/supplier will acknowledge in EQuote when quoting a 700 ML bottle if there is an existing 750 ML bottle of the same product currently listed. The 750 ML bottle will be automatically delisted three monthly effective dates after the 700 ML bottle effective date.
- b. A vendor/supplier will acknowledge in EQuote when quoting a 750 ML bottle if there is an existing 700 ML bottle of the same product currently listed. The 700 ML bottle will be automatically delisted three monthly effective dates after the 750 ML bottle effective date.
3. A vendor/supplier may offer for sale the 700 ML bottle after approval by the Commission with a liquor code assigned.
4. A 700 ML or 750ML bottle that contains additional spirits or non-alcoholic merchandise must be registered as a value-added product.
5. The first effective date for the standard 700 ML bottle size is January 29, 2023.

MICHIGAN LIQUOR CONTROL COMMISSION



Pat Gagliardi, Chair



Lee Gonzales, Commissioner