



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

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In the matter of Distilled Spirit)
Multi-Packs and Variety Cases, 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 September 19, 2023 meeting of the Michigan Liquor Control Commission (Commission) in Lansing, Michigan.

PRESENT: Kristin Beltzer, Chair
Dennis Olshove, Commissioner
Hoon-Yung Hopgood, Commissioner

ADMINISTRATIVE ORDER NO. 2023-07
MULTI-PACK AND VARIETY CASES

Article IV, Section 40, of the Constitution of Michigan (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 finds that multi-pack and variety case requirements are necessary to regulate distilled spirit products offered for sale within the state. To better serve retailer licensees, vendors of spirits, and consumers in this state, updated requirements are necessary. After review and discussion of these issues at the meeting, the Commission finds that this Administrative Order should be approved to establish updated requirements for multi-pack and variety cases.

THEREFORE, IT IS ORDERED THAT:

- A. Administrative Order 2021-01 issued by the Commission regarding distilled spirit multi-pack and variety case requirements is rescinded. Administrative Orders 2020-13 and 2020-02 issued by the Commission were previously rescinded by the Commission.
- B. A vendor/supplier may offer for sale multi-packs and variety cases that meet the following requirements, after approval by the Commission with a liquor code assigned:
 1. A “multi-pack” contains two or more bottles of a distilled spirit that are sold together as a unit to the consumer. A multi-pack is subject to the following:
 - a. The multi-pack may contain all the same or different spirit products in the package.
 - b. The vendor/supplier may offer more than one multi-pack per brand and bottle size of a distilled spirit.
 - c. The multi-pack may only include standard bottle sizes. The standard bottle sizes are 50 milliliters (ML), 100 ML, 200 ML, 355 ML, 375 ML, 700 ML, 750 ML, 1000 ML, and 1750 ML.
 - d. The multi-pack must contain one spirit product currently listed with the Commission.
 - e. The minimum retail shelf price of the multi-pack must comply with one of the following:
 - i. For a multi-pack comprised of distilled spirit products that are all listed with the Commission, the minimum retail shelf price must be equal to or greater

than the combined minimum retail shelf prices of the individual distilled spirit products.

- ii. For a multi-pack comprised of at least one distilled spirits product that is listed with the Commission packaged with one or more distilled spirits products that are not listed with the Commission, the minimum retail shelf price must be equal to or greater than the combined minimum retail shelf prices of the individual listed distilled spirit product or products, plus the minimum retail shelf price of the non-listed distilled spirit product or product. The minimum retail shelf price of the non-listed distilled spirits product or products must be equal to or greater than the minimum retail shelf price of the listed distilled spirits product with the lowest minimum retail shelf price.
 - f. Each standard bottle size cannot be composed of smaller sizes to “equal” a standard bottle size, unless the smaller sizes are comprised of concentrated distilled spirits.
2. A “variety case” consists of different distilled spirit products in a case that cannot be split. The distilled spirit products in a variety case must either be 50 ML or 100 ML bottles or value-added packages. Permission to sell variety cases is subject to the following:
- a. All products in a variety case must be currently listed with the Commission.
 - b. Distilled spirit products in 200 ML, 355 ML, 375 ML, 700 ML, 750 ML, 1000 ML, and 1750 ML bottles must be part of value-added packages and quoted in the Electronic Quotation System (E-Quote) as a value-added package before consideration as a variety case.
 - c. Distilled spirit products in 200 ML, 355 ML, 375 ML, 700 ML, 750 ML, 1000 ML, and 1750 ML bottles must include a value-added item attached to each of those sized bottles in the variety case.
 - d. Distilled spirit products in 50 ML, 100 ML, 200 ML, 355 ML, 375 ML, 700 ML, 750 ML, 1000 ML, and 1750 ML distilled spirit bottles cannot be composed of smaller sizes to “equal” a standard bottle size, unless the smaller sizes are comprised of concentrated distilled spirits.
- C. A product must be filed in E-Quote either as a multi-pack or a variety case.

- D. For all multi-pack and variety case submissions in E-Quote, a vendor/supplier must complete the comments section to include the brand name, flavor, and proof of each type of product in the multi-pack or variety case. The proof quoted in the “proof” field must be the lowest proof in the multi-pack or variety case. The Alcohol and Tobacco Tax and Trade Bureau label must reflect the same proof/product.
- E. The certified ADAs may warehouse and distribute only those distilled spirit multi-packs and variety cases that have been approved by the Commission.
- F. The certified ADAs shall not separate any of the items contained in a distilled spirit multi-pack or variety case approved by the Commission.
- G. Licensed off-premises retailers shall not separate any of the items contained in a distilled spirit multi-pack approved by the Commission.
- H. This Administrative Order is effective immediately.

MICHIGAN LIQUOR CONTROL COMMISSION



Kristin Beltzer, Chair



Dennis Olshove, Commissioner



Hoon-Yung Hopgood, Commissioner

September 19, 2023

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