



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

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In the matter of the request of the)
SevenFifty Technologies, Inc.)
)
For a declaratory ruling on the applicability of)
The Michigan Liquor Control Code or)
Administrative Rules)
_____)

At the March 3, 2017, meeting of the Michigan Liquor Control Commission
(Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner

DECLARATORY RULING

SevenFifty Technologies, Inc. ("SevenFifty") filed a request for a declaratory ruling on February 1, 2017. At a meeting held on February 16, 2017, the Commission denied the request to issue a declaratory ruling concerning the applicability of any state laws or administrative rules concerning which may prevent SevenFifty from working with wholesalers or retailers in Michigan. In addition to the general inquiry, SevenFifty also discusses MCL 436.1603 in regard to the company not having any interest in any alcohol beverage tier.

Under the Michigan Administrative Procedures Act, MCL 24.263, an interested person may request a ruling as to the applicability of a statute administered by the agency to an actual state of facts.

I. Facts Presented

According to information submitted in its request, SevenFifty is a technology company and provides an online marketplace that connects wholesalers in the alcohol beverage industry with buyers. Those entities that can legally sell to the retail tier provide SevenFifty with data including their product portfolio, which is then made available in a search engine for buyers at licensed retailers. Retailers can search across all wholesaler portfolios at once and retrieve available purchase information, including the price and wholesaler in Michigan. SevenFifty operates currently in at least 35 states.

As a data provider and technology company, SevenFifty is a searchable database platform that holds no interest in any license in any of the alcohol beverage tiers in Michigan, and does not sell any alcoholic beverage products. Since wholesalers invoice retailers, all funds are paid directly by a retailer to the applicable wholesaler. SevenFifty is requesting specific clarification as to whether any of the Michigan Liquor Control Code or Rules would apply to SevenFifty.

II. Applicable Law

Article IV, Section 40 of the Constitution of Michigan 1963 permitted the Legislature to establish the Commission, which shall exercise complete control of the alcoholic beverage traffic in this state, including retail sales, subject to statutory limitations. The Commission has general authority over alcoholic beverage products under MCL 436.1203, and well as specific authority in the statutes and administrative rules.

The Commission concluded that SevenFifty is merely a searchable database, and it does not concern the furnishing or sale of alcoholic beverages. None of the existing laws or rules pertains to this type of business.

III. Analysis

Since SevenFifty does not fall under any of the parameters of the Michigan Liquor Control Code or administrative rules, the Commission cannot apply a particular law or rule to a set of facts.

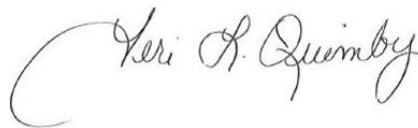
IV. Conclusion

The Commission, therefore, respectfully denies the acceptance of this request. SevenFifty Technologies, Inc. does not fall within the parameters of regulation by the Commission under the Michigan Liquor Control or administrative rules.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

Date: March 23, 2017