

Pete Ricketts
Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION

Robert B. Rupe

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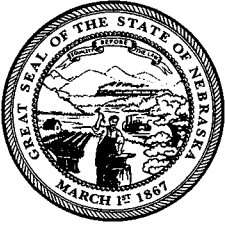
Wholesale Reminders

- From time to time the Commission will place a condition on a retail license.
Example: A Certain individual is not allowed to be involved in the day-to-day operation of the licensed business; That includes:
 - A. No ordering of alcoholic beverages by this individual.
 - B. Signing checks for payment of the beverages.
 - C. Picking up beverages at the wholesalers dock.This condition is inserted and written on the license that hangs on the Retailer's wall. Please remind your pre-sales man to check the license periodically and especially on a new license.
- Keep the three tier system in place when donating product to charitable organizations.
- Recommend conducting internal compliance checks to insure drivers are having the retailers sign all retail sales invoices and indicate the means of payment by the retailers.
- When running short deliveries, insure there is a load out/load in record created. Whenever you release any product off the warehouse floor you must have documentation to support it.
- Be alert to new faces in the retail premise with no change with the retail license. Please notify the Commission accordingly.
- MENU CARDS – CHAPTER 6-016.02: Please be advised that menu cards are allowed to be given or sold to retailers. Anything beyond a simple menu card like bound leather books are not allowed and would be considered a violation of trade practices policy regulations.
- Gift Cards: October 23, 2012 – The Nebraska Liquor Control Commission has received information on the disbursement or giving of gift cards from Supplier Representatives to certain retail licensee account managers or employees. Please be advised as follows: Rule Chapter 6-016, The giving of gift cards is not listed as an exception to something of value between industry members within the Nebraska Liquor Control Commission Rules and Regulations, therefore illegal.

Janice M. Wiebusch
Commissioner

Robert Batt
Chairman

Bruce Bailey
Commissioner



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- **WARNING: NLCC has received information again that this practice is being abused as follows: Retailers are demanding wholesalers extend this privilege by leaving, at the premise, partial bottle samples or full bottles of the new product. This wholesaler is not allowed to leave unused samples with retailers. Field audits of retailer's records and wholesaler's records will now include a very close look at sampling activities and records thereof. Please note this is under sampling regulation and not tasting regulation. Tasting requires the product to be invoiced to retailers.**
- **CHAPTER 6.016.05B –Shelf plan & Shelf Schematics: Please be advised the above rule does not allow for any arrangements for the retailer to demand wholesale licensee to conduct the following services in conjunction with retail inventory resets:**
 - Cleaning Shelves or Floors
 - Remove Shelves or Adjust Cold Boxes
 - Construction or Re-Construction of Shelves or Cold Boxes
 - Provide Shelves
 - Also any other similar services are the responsibility of the retail licensee for daily operation.

The retailer may be cited for "Accepting Something of Value" and the wholesaler may be cited for being interested in the conduct of retail licensed premises.

Reference Neb. Rev. Stat. 53-168(1) & 53-169(c).

Special note: Manufacturer/supplier sales representative may also be cited for any of the above activity.

(consolidated advisories from website, 3/3/16)

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