Alcoholic Beverages

Shelf stocking by wholesalers is prohibited for all alcoholic beverages (distilled spirits, wine, malt beverages, etc.) according to ARSD 64:75:04:14 and 64:75:08:10. It may be convenient for wholesalers to fill retailers’ shelves while rotating products or during delivery; however, this is a violation of the rules.

- Wholesalers may rotate spirits, wine or malt beverages which they sell as long as they do not alter or reposition products from other industry members.
- The setting or resetting of all or part of an alcoholic beverage retail display is allowed. Written notices to each wholesaler servicing the retailer must be given 48 hours prior to the set or reset.
- For malt beverages only, bringing products currently on the shelf forward (facing) and rotation is allowed at the point of order taking or invoicing.

Examples

1. Retailer requests that wholesaler comes regularly to stock alcoholic beverages on their shelves.
   - This is specifically prohibited for all alcoholic beverages.

2. Wholesaler does pull ups and rotation of malt beverages when taking orders and invoicing retailer.
   - This is permitted for malt beverages only at the point of order taking or invoicing.

It is your responsibility, both as a wholesaler and a retailer, to know shelf stocking of alcoholic beverages by wholesalers is prohibited.

Both the wholesaler’s and retailer’s license may be subject to suspension or revocation if found in violation.