

# NC Beer Association Serves Up Trade Manual Statewide

## *States' Three-Tier Law Backed By Western Appellate Court*

**RALEIGH** (March 5, 2008) – State beer and wine distributors want you to know what they do, and why they do it. The North Carolina Beer and Wine Wholesalers Association (NCBWWA) is sending out a trade practice manual on the 75<sup>th</sup> anniversary of the 21<sup>st</sup> Amendment – the repeal of Prohibition. In simple language, the manual clearly defines the role of distributors and the strict set of laws and rules within which they must operate.

“Alcohol is different from toothpaste and chewing gum, and it should be regulated differently,” said Dean Plunkett, Executive Director of the North Carolina Beer & Wine Wholesalers Association (NCBWWA). “This manual represents a set of laws and rules that have been in place for more than 70 years. It clearly explains the system of checks and balances we have that ensure product safety, consumer choice, and responsible stewardship of beverage alcohol.”

The manual was vetted by officials with the state’s Alcohol Beverage Control Commission (ABC) and Alcohol Law Enforcement (ALE). Copies are being mailed to members of NCBWWA across the state.

### **Major ruling**

Release of the manual comes on the heels of a major court ruling by the Ninth Circuit Court of Appeals in *Costco v. Hoen (Washington State Liquor Control Board)*. The court largely overturned a lower court’s decision, affirming the right of states to regulate alcohol under the 21<sup>st</sup> Amendment.

“This ruling upholds the right of states to set alcohol policy as their citizens see fit. North Carolina distributors will continue to support state-based alcohol regulation,” Plunkett said.

The NCBWWA recently met with NC Attorney General Roy Cooper about the state’s three-tier system of state-based alcohol regulation. Cooper’s office signaled its continued support of the law that protects both North Carolina consumers and businesses alike.

### **Three-tier System At A Glance**

Established after the repeal of Prohibition, the Three-Tier system is a state-based regulatory mechanism that controls how retail establishments receive beverage alcohol. State licensed distributors deliver products from federally-licensed brewers and wine makers to state-permitted retailers through a strict method of checks and balances as defined by the state.

North Carolina’s Three-Tier system provides many benefits to the state and its citizens: Consumer choice – serving big and small producers, local to international brands; Creates a level playing field for all retailers in the state – from the Mom & Pop’s to the giant warehouse chains; Orderly and transparent marketplace – the distributors collect the state taxes and account for every sale to licensed retailers; Ensuring product safety – distributors know where it came from and where it is going. (For more information, visit [www.ncbeerwine.com](http://www.ncbeerwine.com).)

### **About the North Carolina Beer and Wine Wholesalers Association:**

The North Carolina Beer and Wine Wholesalers Association is a non-profit organization whose main purpose is to protect and uphold the rights of the beer and wine industry in North Carolina. North Carolina Beer and Wine Wholesalers are locally owned and operated businesses that promote responsibility, ensure quality and offer you variety. The NCBWWA works with local and federal officials to develop policies that ensure equity and fairness for its member organizations. Through hard work and dedication, North Carolina Beer and Wine Wholesalers Association continues to strive for excellence in serving the members and the industry. For more information, visit [www.ncbeerwine.com](http://www.ncbeerwine.com).