123.186 Federal regulations adopted as rules — penalties.

1. The department shall adopt as rules the substance of the federal regulations 27 C.F.R. pt. 6, 27 C.F.R. pt. 8, 27 C.F.R. pt. 10, and 27 C.F.R. pt. 11.

2. The department shall adopt as rules the substance of 27 C.F.R. §6.88, to permit a manufacturer of alcoholic beverages, wine, or beer, or an agent of such manufacturer, to provide to a retailer without charge wine and beer coil cleaning services, including carbon dioxide filters and other necessary accessories to properly clean the coil and affix carbon dioxide filters. The rules shall provide that the manufacturer shall be responsible for paying the costs of any filters provided.

3. The department shall adopt as rules the substance of 27 C.F.R. §6.99 to permit, only with the explicit consent of the retailer, a manufacturer or a wholesaler of alcoholic liquor, wine, or beer to reset or rearrange another manufacturer's or wholesaler's alcoholic beverage products.

4. The department shall adopt as rules the substance of 27 C.F.R. §10.21 to prohibit a manufacturer or a wholesaler of alcoholic liquor, wine, or beer from offering or giving, directly or indirectly or through an affiliate, a retailer free trips, bonuses, or prizes based on sales of the manufacturer's or wholesaler's alcoholic beverage products.

5. A licensee or permittee who permits or assents to or is a party in any way to a violation or infringement of a rule adopted pursuant to this section is guilty of a violation of this section. A violation of this section shall subject the licensee or permittee to the general penalties provided in this chapter and shall constitute grounds for imposition of a civil penalty or suspension or revocation of the license or permit pursuant to section 123.39.

85 Acts, ch 32, §77; 2006 Acts, ch 1061, §1; 2007 Acts, ch 22, §36; 2018 Acts, ch 1060, §70; 2019 Acts, ch 113, §58; 2023 Acts, ch 19, §2454; 2023 Acts, ch 31, §1
Subsections 1 and 2 amended
NEW subsections 3 and 4 and former subsection 3 renumbered as 5