ALCOHOLIC BEVERAGES DIVISION [185]

Created within the Department of Commerce by 1986 Iowa Acts, Senate File 2175.

Formerly Beer and Liquor Control Department [150]

CHAPTER 1 OPGANIZATION AND OPERATION

ORGANIZATION AND OPERATION			
1.1(123,17A)	Purpose		
1.2(123,17A)	Scope and rules		
1.3(123,17A)	Duties of the division		
1.4(123,17A)	Organization		
1.5(123,17A)	Central offices		
1.6(123,17A)	Matters applicable to all proceedings		
	CHAPTER 2		
	AGENCY PROCEDURE FOR RULE MAKING		
2.1(17A)	Applicability		
2.2(17A)	Advice on possible rules before notice of proposed rule adoption		
2.3(17A)	Public rule-making docket		
2.4(17A)	Notice of proposed rule making		
2.5(17A)	Public participation		
2.6(17A)	Regulatory analysis		
2.7(17A,25B)	Fiscal impact statement		
2.8(17A)	Time and manner of rule adoption		
2.9(17A)	Variance between adopted rule and published notice of proposed rule adoption		
2.10(17A)	Exemptions from public rule-making procedures		
2.11(17A)	Concise statement of reasons		
2.12(17A)	Contents, style, and form of rule		
2.13(17A)	Agency rule-making record		
2.14(17A)	Filing of rules		
2.15(17A)	Effectiveness of rules prior to publication		
2.16(17A)	General statements of policy		
2.17(17A)	Review by agency of rules		
	CHAPTER 3		
	DECLARATORY ORDERS		
3.1(17A)	Petition for declaratory order		
3.2(17A)	Notice of petition		
3.3(17A)	Intervention		
3.4(17A)	Briefs		
3.5(17A)	Inquiries		
3.6(17A)	Service and filing of petitions and other papers		
3.7(17A)	Consideration		
3.8(17A)	Action on petition		
3.9(17A)	Refusal to issue order		
3.10(17A)	Contents of declaratory order—effective date		
3.11(17A)	Copies of orders		
3.12(17A)	Effect of a declaratory order		
	CHAPTER 4		
	LIQUOR LICENSES—BEER PERMITS—WINE PERMITS		
4.1(123)	Definitions		
4.2(123)	General requirements		
2(123)	constant to dangements		

4.3(123)	Local ordinances permitted
4.4(123)	Licensed premises
4.5(123)	Mixed drinks or cocktails not for immediate consumption
4.6(123)	Filling and selling of beer in a container other than the original container
4.7(123)	Improper conduct
4.8(123)	Violation by agent, servant or employee
4.9(123)	Gambling evidence
4.10(123)	Filling and selling of mixed drinks or cocktails in a container other than the
,	original container
4.11(123)	Filling and selling of wine and native wine in a container other than the original container
4.12(123)	Display of license, permit, or signs
4.13(123)	Outdoor service
4.14(123)	Revocation or suspension by local authority
4.15(123)	Suspension of liquor control license, wine permit, or beer permit
4.16(123)	Cancellation of beer permits—refunds
4.17(123)	Prohibited storage of alcoholic beverages and wine
4.17(123)	Transfer of license or permit to another location
4.19(123)	Execution and levy on alcoholic liquor, wine, and beer
4.19(123) 4.20(123)	
` '	Liquor store checks accepted Whose rateiless must purchase wine
4.21(123)	Where retailers must purchase wine Liquor on licensed premises
4.22(123) 4.23(123)	Liquor on unlicensed places
4.24	Reserved
4.25(123)	Age requirements
4.26(123)	Timely filed status
4.27(123)	Effect of suspension
4.28(123)	Use of establishment during hours alcoholic liquor, wine, and beer cannot be consumed
4.29	Reserved
4.30(123)	Persons producing fuel alcohol
4.31(123)	Storage of beer
4.32(123)	Delivery of alcoholic liquor
4.33(123)	Delivery of accononic inquor Delivery of beer and wine
4.34(123)	Determination of population
4.35(123)	Minors in licensed establishments
4.36(123)	Sale of alcoholic liquor and wine stock when licensee or permittee sells business
4.37(123)	Business as usual on election days
4.38(123)	Sunday sale of wine
4.39	Reserved
4.40(123)	Warehousing of beer and wine
4.41(123)	Vending machines to dispense alcoholic beverages prohibited
4.41(123)	vending machines to dispense alcoholic deverages promotica
	CHAPTER 5
	LICENSE AND PERMIT DIVISION
5.1(123)	Manufacture and sale of native wine
5.2(123)	Annual production of a native distillery
5.3(123)	Licensed manufacturers and wholesalers
5.4(123)	Investigation before issuing license or permit
5.5	Reserved
5.6(123)	Living quarters permit
5.7(123)	Change of ownership of a licensed premises, new license or permit required

5.8(123)	Dramshop liability insurance requirements			
5.9(123)	Surety bond requirements			
,	•			
	CHAPTERS 6 and 7			
	Reserved			
	CHAPTED 0			
	CHAPTER 8			
0.1(100)	TRANSPORTATION AND WAREHOUSE			
8.1(123)	Definitions			
8.2(123)	Listing classifications			
8.3(123)	Listing requests			
8.4(123)	Shipment of product to the division			
8.5(123)	Inventory levels			
8.6(123)	Pricing			
8.7(123)	Delisting			
8.8(123)	Barrel programs			
	CHAPTED O			
DEDGO	CHAPTER 9			
	NAL IMPORTATION OF ALCOHOLIC LIQUOR, WINE, AND BEER			
9.1(123)	Tax liability			
9.2(123)	Personal importation in excess of the amounts provided—waiver			
	CHAPTER 10			
	CONTESTED CASES			
10.1(17A)	Scope and applicability			
10.2(17A)	Definitions			
10.2(17A) 10.3(17A)	Time requirements			
	Statute of limitations			
10.4(123,17A)				
10.5(17A)	Requests for a contested case proceeding			
10.6(17A)	Notice of hearing			
10.7(17A)	Presiding officer			
10.8(17A)	Waiver of procedures			
10.9(17A)	Telephone proceedings			
10.10(17A)	Disqualification			
10.11(17A)	Consolidation—severance			
10.12(17A)	Pleadings			
10.13(17A)	Service and filing of pleadings and other papers			
10.14(17A)	Discovery			
10.15(17A)	Subpoenas			
10.16(17A)	Motions			
10.17(17A)	Continuances			
10.18(17A)	Withdrawals			
10.19(17A)	Intervention			
10.20(17A)	Hearing procedures			
10.21(17A)	Evidence			
10.22(17A)	Default			
10.23(17A)	Ex parte communication			
10.24(17A)	Recording costs			
10.25(17A)	Interlocutory appeals			
10.26(17A)	Final decision			
10.27(17A)	Appeals and review			
10.28(17A)	Applications for rehearing			
10.29(17A)	Stays of agency actions			
•				

. 1			• •	ъ	г 1	0.51
A	lco	nol	1C	Beverages	ΙI	851

10.30(17A) 10.31(17A) 10.32(17A)	No factual dispute contested cases Emergency adjudicative proceedings Informal settlement
	CHAPTERS 11 to 13 Reserved
111(100)	CHAPTER 14 PRIVATE WINE SALES
14.1(123)	Wine definition
14.2(123)	Bottle label requirements and registration
14.3	Reserved Price restings by all helders of vintures's contiferates of compliance
14.4(123)	Price postings by all holders of vintner's certificates of compliance Price postings
14.5(123) 14.6	Reserved
14.7(123)	Supplier discrimination
()	
	CHAPTER 15 Reserved
	Reserved
	CHAPTER 16
	TRADE PRACTICES
16.1(123)	Definitions
16.2(123)	Product displays
16.3(123)	Retailer advertising utensils, consumer souvenirs, wearing apparel
16.4(123)	Wine lists
16.5(123)	Glassware
16.6(123)	Tapping accessories and coil cleaning service
16.7(123)	Tasting
16.8(123)	Sampling
16.9(123)	Trade spending
16.10(123)	Discounts prohibited
16.11(123)	Combination packaging
16.12(123)	Coupons
16.13(123)	Advertising Starting and analysis at the starting
16.14(123)	Stocking and product rotation
16.15(123)	Sponsorships and special events
16.16(123) 16.17	Participation in seminars and retail association activities Reserved
16.18(123)	Record keeping
16.19 to 16.39	Reserved
16.40(123)	Equipment, furnishings, fixtures
16.41	Reserved
16.42(123)	Free warehousing prohibited
16.43(123)	Extension of credit and prepaid accounts
16.44(123)	Quota sales, tie-in sales
16.45 to 16.59	Reserved
16.60(123)	Implied or express contracts prohibited
16.61 to 16.74	Reserved
16.75(123)	Commercial bribery
16.76 to 16.89	Reserved
16.90(123)	Consignment sales
16.91 to 16.104	Reserved

16.105(123) 16.106(123)	Industry member, retailer—subject to penalties Contested case—burden						
	CHAPTER 17						
	CLASS "E" LIQUOR CONTROL LICENSES						
17.1(123)	Definitions						
17.2 and 17.3	Reserved						
17.4(123)	Square footage to be stated under oath on application						
17.5(123)	Authority to sell and to deliver to consumers and licensees						
17.6	Reserved						
17.7(123)	Advertising prohibitions						
17.8(123)	Class "E" liquor license fees						
	CHAPTER 18						
	PUBLIC RECORDS AND FAIR INFORMATION PRACTICES (Uniform Rules)						
18.1(123,22)	Definitions						
18.3(123,22)	Requests for access to records						
18.9(123,22)	Disclosures without the consent of the subject						
18.10(123,22)	Routine use						
18.11(123,22)	Consensual disclosure of confidential records						
18.12(123,22)	Release to subject						
18.13(123,22)	Availability of records						
18.14(123,22)	Personally identifiable information						
18.15(123,22)	Other groups of records Other records						
18.16(123,22) 18.17(123,22)	Applicability						
16.17(123,22)	Аррисаоппу						
	CHAPTER 19						
10.1/15.1	WAIVERS FROM RULES						
19.1(17A)	Scope						
19.2(17A)	Division discretion						
19.3(17A)	Requester's responsibilities						
19.4(17A)	Notice Division's responsibilities						
19.5(17A) 19.6(17A)	Public availability						
19.7(17A)	Cancellation						
19.8(17A)	Violations						
19.9(17A)	Defense						
19.10(17A)	Appeals						
-(')	11						