

185—8.2(123) Listing classifications. Each product available for sale by the division shall be assigned to one of the following listing classifications. Suppliers may indicate their preferred listing classification; however, final determination shall be made by the administrator or the administrator's designee.

8.2(1) *Permanent.* Products with a permanent listing shall be available for sale by the division on an ongoing basis, unless otherwise delisted or temporarily out of stock.

8.2(2) *Temporary.* Temporary listings shall have a duration determined by the administrator or the administrator's designee, and the duration may be extended at the discretion of the administrator or the administrator's designee.

8.2(3) *Size extension.* A supplier shall submit a listing request for each additional size of a product that is currently listed for sale. All listed sizes of the product should meet sales criteria established by the administrator, or the administrator's designee, in order for a size extension listing request to be approved as a permanent listing.

8.2(4) *Special order.* Products that are not currently listed for sale by the division may be purchased through a special order placed with the supplier of the product.

a. A request for a special order will be placed with the division by a class "E" retail alcohol licensee. Special order requests shall be submitted electronically or in a manner prescribed by the administrator or the administrator's designee. The administrator, or the administrator's designee, may reject a special order request if it is determined that the requested product is in violation of the requirements set out in subparagraphs 8.3(3) "a"(1) and 8.3(3) "a"(2).

b. If the division accepts a special order request, the request shall be forwarded on to the supplier of the product. The supplier may approve or deny the special order request.

c. All special order products shall be sold and distributed by the division to class "E" retail alcohol licensees by the case only.

d. Special order products are not eligible for return to the division by a class "E" retail alcohol licensee without approval from the administrator or the administrator's designee.

8.2(5) *Special order on hand.* Products that are frequently sold as special orders but do not qualify for permanent listing may be listed as special order on hand.

a. To be eligible for classification as a special order on-hand listing, a product must have been previously sold as a special order and meet sales criteria established by the administrator or the administrator's designee.

b. Products that have been delisted shall not be eligible to be moved from permanent listing to special order on-hand listing.

8.2(6) *Highly allocated.* Highly allocated products are products of a limited supply as determined by the supplier.

a. Highly allocated products may be sold via a lottery system as deemed necessary by the administrator or the administrator's designee.

b. Highly allocated products shall not be available for sale as special orders.

8.2(7) *Quantity limitations.* Quantities of listed products available for purchase by class "E" retail alcohol licensees may be limited at the administrator's, or the administrator's designee's, discretion.

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