

### 123.23 Distiller's certificate of compliance — injunction — penalty.

1. Any manufacturer, distiller, or importer of alcoholic liquors shipping, selling, or having alcoholic liquors brought into this state for resale by the state shall, as a condition precedent to the privilege of so trafficking in alcoholic liquors in this state, annually make application for and hold a distiller's certificate of compliance which shall be issued by the administrator for that purpose. No brand of alcoholic liquor shall be sold by the division in this state unless the manufacturer, distiller, importer, and all other persons participating in the distribution of that brand in this state have obtained a certificate. The certificate of compliance shall expire at the end of one year from the date of issuance and shall be renewed for a like period upon application to the administrator unless otherwise suspended or revoked for cause. Each completed application for a certificate of compliance or renewal shall be submitted electronically, or in a manner prescribed by the administrator, and shall be accompanied by a fee of two hundred dollars payable to the division. However, [this subsection](#) need not apply to a manufacturer, distiller, or importer who ships or sells in this state no more than eleven gallons or its case equivalent during any fiscal year as a result of "special orders" which might be placed, as defined and allowed by divisional rules adopted under [this chapter](#).

2. At the time of applying for a certificate of compliance, each applicant shall submit to the division electronically, or in a manner prescribed by the administrator, the name and address of its authorized agent for service of process which shall remain effective until changed for another, and a list of names and addresses of all representatives, employees, or attorneys whom the applicant has appointed in the state of Iowa to represent it for any purpose. The listing shall be amended by the certificate holder as necessary to keep the listing current with the division.

3. The administrator and the attorney general are authorized to require any certificate holder or person listed as the certificate holder's representative, employee, or attorney to disclose such financial and other records and transactions as may be considered relevant in discovering violations of [this chapter](#) or of rules and regulations of the division or of any other provision of law by any person.

4. Any violation of the requirements of [this chapter](#) or rules adopted pursuant to [this chapter](#) shall subject the holder of a distiller's certificate of compliance to the general penalties provided in [this chapter](#) and shall constitute grounds for imposition of a civil penalty, suspension of the certificate, or revocation of the certificate, after notice and opportunity for a hearing pursuant to [section 123.39](#) and [chapter 17A](#). However, willful failure to comply with requirements which may be imposed under [subsection 3](#) is grounds for suspension or revocation of the certificate of compliance only.

5. [This section](#) shall not require the listing of those persons who are employed on premises where alcoholic liquors are manufactured, processed, bottled, or packaged in Iowa or persons who are thereafter engaged in the transporting of such alcoholic liquors to the division.

6. The attorney general may also proceed pursuant to the provisions of [section 714.16](#) in order to gain compliance with [subsection 3](#) of [this section](#) and may obtain an injunction prohibiting any further violations of [this chapter](#) or other provisions of law. Any violation of that injunction shall be punished as contempt of court pursuant to [chapter 665](#) except that the maximum fine that may be imposed shall not exceed fifty thousand dollars.

[C73, 75, 77, 79, 81, §123.19]

[85 Acts, ch 32, §15; 86 Acts, ch 1237, §6; 93 Acts, ch 91, §3; 2013 Acts, ch 35, §2; 2015 Acts, ch 30, §204](#)

C2016, §123.23

[2017 Acts, ch 119, §3; 2018 Acts, ch 1060, §9; 2019 Acts, ch 113, §5; 2022 Acts, ch 1099, §7, 15](#)

Referred to in [§123.32](#), [123.35](#)

2022 amendment to subsection 1 effective January 1, 2023; 2022 Acts, ch 1099, §15

Subsection 1 amended