

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
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

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 by class “C” beer permit holders
4.7(123)	Improper conduct
4.8(123)	Violation by agent, servant or employee
4.9(123)	Gambling evidence
4.10 and 4.11	Reserved
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
4.18(123)	Transfer of license or permit to another location
4.19(123)	Execution and levy on alcoholic liquor, wine, and beer
4.20(123)	Liquor store checks accepted
4.21(123)	Where retailers must purchase wine
4.22(123)	Liquor on licensed premises
4.23(123)	Liquor on unlicensed places
4.24(123)	Alcoholic liquor and wine on beer permit premises
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 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

CHAPTER 5

LICENSE AND PERMIT DIVISION

5.1(123)	Manufacture and sale of native wine
5.2	Reserved
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

CHAPTER 6

Reserved

CHAPTER 7

REPRESENTATIVES OF DISTILLERS, RECTIFIERS,
MANUFACTURERS, BREWERS AND VINTNERS

- 7.1(123) Alcoholic liquor sales to the division—registration of agents
- 7.2(123) Salespersons—prohibited practices—penalties
- 7.3(123) Purchases
- 7.4(123) Infraction of rules

CHAPTER 8

TRANSPORTATION AND WAREHOUSE

- 8.1(123) Transportation of alcoholic liquor
- 8.2(123) Rules and regulations as between shippers and this division

CHAPTER 9

Reserved

CHAPTER 10

CONTESTED CASES

- 10.1(17A) Scope and applicability
- 10.2(17A) Definitions
- 10.3(17A) Time requirements
- 10.4(123,17A) Statute of limitations
- 10.5(17A) Requests for 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
- 10.30(17A) No factual dispute contested cases
- 10.31(17A) Emergency adjudicative proceedings

CHAPTER 11

Reserved

CHAPTER 12

FORMS

12.1(123,17A) Purpose and scope

12.2(123,17A) Specific forms

CHAPTER 13

Reserved

CHAPTER 14

PRIVATE WINE SALES

14.1(123) Wine definition

14.2(123) Bottle label requirements and registration

14.3 Reserved

14.4(123) Price postings by all holders of vintner's certificates of compliance

14.5(123) Price postings

14.6 Reserved

14.7(123) Supplier discrimination

CHAPTER 15

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

16.14(123) Stocking and product rotation

16.15(123) Sponsorships and special events

16.16(123) Participation in seminars and retail association activities

16.17 Reserved

16.18(123) Record keeping

16.19 to 16.39 Reserved

16.40(123) Equipment, furnishings, fixtures

16.41(123) Interest in a retail establishment

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)	Industry member, retailer—subject to penalties
16.106(123)	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
18.16(123,22)	Other records
18.17(123,22)	Applicability

CHAPTER 19

WAIVERS FROM RULES

19.1(17A)	Scope
19.2(17A)	Division discretion
19.3(17A)	Requester’s responsibilities
19.4(17A)	Notice
19.5(17A)	Division’s responsibilities
19.6(17A)	Public availability
19.7(17A)	Cancellation
19.8(17A)	Violations
19.9(17A)	Defense
19.10(17A)	Appeals