

14B NCAC 15B .1008 ADVERTISING OF SPIRITUOUS LIQUORS BY ABC BOARDS

(a) ABC Stores. An ABC store may have one or more exterior signs on the store's property, as stated on the store's lease or deed, to identify the store's presence if the sign is not prohibited by local ordinance and has been approved by the Commission. The Commission shall consider the following factors:

- (1) the proximity of the ABC store to schools and churches;
- (2) the number and size of the signs requested;
- (3) the text and graphics on the sign;
- (4) the materials that make up the sign; and
- (5) the public concern in matters of the public's welfare.

(b) Billboards. Billboards may be used by local ABC boards for the following purposes:

- (1) advertising the location, contact information, and hours of operation of an ABC store;
- (2) statistical information on volume of sales, revenues generate, and the amount of revenues distributed to the State and local government; and
- (3) subject to the Commission's approval, educational content regarding alcohol or substance abuse or public service announcements.

Billboards used by a local ABC board shall not include the brand name or picture of a spirituous liquor or fortified wine.

(c) Point-of-Sale. Point-of-sale and advertising specialties for spirituous liquor may be used in ABC stores. Advertising used in ABC stores shall conform to the provisions of 14B NCAC 15B .1005.

Industry members shall submit point-of-sale advertising material, advertising specials, recipes, booklets, or brochures for use and display in ABC stores to the Commission at legal@abc.nc.gov before displaying these items in an ABC store.

(d) Local ABC Boards. Local ABC boards may advertise on their web site or social networking page, and inside ABC stores, the following information:

- (1) general information including the history of the local ABC board, locations, hours of operation, contact information, employment opportunities, alcohol enforcement, alcohol education, underage drinking education and other local government information; and
- (2) liquor products and prices, subject to the following conditions:
 - (A) the list includes all products offered of the same category or type advertised;
 - (B) if a product's regular price is listed, the list includes regular prices of all products of the same category or type offered by the local ABC board;
 - (C) if a special price reduced for 30 days is listed for a product on a supplemental price list pursuant to Rule 14B NCAC 15A .1503, the list includes all products with temporary reduced prices offered by the local ABC board; and
 - (D) if the Commission authorizes a local ABC board to sell certain products at below the uniform price pursuant to Rule 14B NCAC 15A .1702, the list includes all products offered by the local ABC board with prices below the uniform price.
- (3) Logos and prices of spirituous liquor products posted in pictures or videos of the inside of an ABC store must include all products in a category and their prices.
- (4) New products during the first 180 days of availability for purchase in an ABC store and products returning to inventory after at least one year of unavailability for purchase.
- (5) Spirituous liquor products available via special order pursuant to Rule 14B NCAC 15A .1403(b).
- (6) Special order barrel products with personalized labeling pursuant to G.S. 18B-800(c1) ordered by a local ABC board in compliance with Rule 14B NCAC 15A .1403.
- (7) Products available for online order pursuant to G.S. 18B-800(c3).
- (8) Products available on the Limited Product Record list pursuant to G.S. 18B-204(a3).

(e) Advertising by email. Local ABC boards may advertise by email or text to mixed beverage permittees that request to receive advertisements from the local board. Local ABC boards shall not advertise by email or text to retail customers of the local board except:

- (1) when a customer inquires about the availability or the price of a specific product; or
- (2) when a customer requests or consents to receive marketing emails or texts.

A local ABC board email advertisement to retail customers shall be limited to advertising allowed pursuant to this Rules, to a lottery of spirituous liquor, and to barrel purchase opportunities.

(f) Local ABC boards may join local chambers of commerce or visitor's bureaus and may provide them general board information that includes store locations and hours made available through the website or other electronic means of the chambers of commerce or visitor's bureaus.

- (g) Local ABC boards shall submit approval requests required by this Rule to legal@abc.nc.gov.
- (h) Local ABC boards shall not use or allow the use or display of any tent, canopy, cooler, sign, or personal property owned by the local ABC board or that displays the local ABC board's name or logo except within the local ABC board store.

History Note: Authority G.S. 18B-100; 18B-105; 18B-207; 18B-807;
Eff. January 1, 1982;
Amended Eff. November 1, 2012; November 1, 2011; January 1, 2011; July 1, 1992; May 1, 1984;
Transferred and Recodified from 04 NCAC 02S .1011 Eff. August 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 20,
2016;
Amended Eff. February 1, 2026.