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July 19, 2022

To whom it may concern:

Re: Store Re-Sets

It has come to the attention of the ABC Board that there continues to be confusion in regard to the performance of retail store "re-sets" by ABC licensed wholesale distributors of beer and wine on ABC retail licensed premises.

Alcoholic beverages are not regular food and beverage items and, because they are actually intoxicants, they are highly regulated by State and Federal law. It is prohibited by Alabama law for ABC licensed businesses on different tiers of the alcohol industry to intermingle their finances or operations.

That being said, the Alabama ABC Board has promulgated rules that allow a few specific, limited exceptions in recognition of the realities of modern industry practices.

Rule 20-X-8-.10 was amended at the request of industry members last year to read as follows:

20-X-8-.10(5) A wholesale licensee of the Board may conduct one full product reset per retail store, per calendar year, provided the licensee may not alter or disturb the product of other wholesale licensees. This reset may be broken up into no more than two (2) subsections for beer and three (3) subsections for wine where the sum of the partial resets equals one full reset. All retail licensees shall be treated equally and provided with the same services. Author: ABC Board Statutory Authority: Code of Ala. 1975, §§28-3-49; 28-3A-25(a)(13). History: Repealed and New Rule: Filed August 21, 1998; effective October 16, 1998. Amended: Filed October 13, 2016; effective November 27, 2016. Amended: Published October 29, 2021; effective December 13, 2021.

If the ABC Board learns of violations of this (or any other) ABC Rule, the offending parties will be issued citations and sanctioned accordingly.

I hope this helps clarify the Board's position in this regard.

A handwritten signature in black ink, appearing to read 'R. L. Martin III'.

Robert L. Martin III
ABC General Counsel