

11 CSR 70-2.050 Wholesalers' Conduct of Business

PURPOSE: *This rule establishes guidelines for wholesalers regarding purchases, deliveries, sales, and storage of products.*

(1) No wholesaler may buy, obtain, or accept any intoxicating liquors from any person who is not registered with the division of Alcohol and Tobacco Control as the primary American source of supply or who is not a licensed wholesale-solicitor. However, a wholesaler owning warehouse receipts may obtain the written permission from the supervisor of Alcohol and Tobacco Control to receive intoxicating liquor from federal customs bonded warehouses or federal internal revenue bonded warehouses.

(2) No wholesaler may sell, deliver, or cause any intoxicating liquors to be sold or delivered to any licensee unless the wholesaler bought, obtained, or accepted the intoxicating liquor from the person registered with the division of Alcohol and Tobacco Control as the primary American source of supply or a licensed wholesale-solicitor.

(3) No wholesale licensee may sell, deliver, or cause any intoxicating liquors to be sold or delivered to any licensee while the licensee is under suspension by the supervisor of Alcohol and Tobacco Control.

(4) No wholesale licensee who has had his/her license suspended by order of the supervisor of Alcohol and Tobacco Control may sell or give away any intoxicating liquor, nor order or accept delivery of any intoxicating liquor during the period of time the order of suspension is in effect.

(5) All wholesale licensees are to keep and maintain a place for storage of merchandise, which is designated in the license and separate and apart from any storage place used by others and with a separate entrance and street address.

(6) No wholesaler licensee may deliver or cause intoxicating liquors to be delivered to any premises unless there is a license displayed prominently issued by the supervisor of Alcohol and Tobacco Control to the person purchasing the liquor, wine, or beer, designating the purchaser as a person licensed to sell on the premises the kind of liquor, wine, or beer s/he is about to deliver.

(7) Wholesalers licensed to sell intoxicating liquor are to make and keep invoices for all sales or deliveries of intoxicating liquor and the Missouri license number of every person to whom intoxicating liquor is sold or delivered by the licensees is to be written or stamped upon the invoices.

(8) Shipments by wholesalers or solicitors may be made only to licensed dealers of this or other states. A bill of lading is to be secured from the carrier and kept on file for a period of two (2) years so that shipments may be traced by the division's auditors or agents.

AUTHORITY: section 311.660, RSMo Supp. 2021. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. Amended: Filed April 23, 1981, effective Aug. 13, 1981. Amended: Filed Oct. 10, 2018, effective May 30, 2019. Amended: Filed Jan. 25, 2022, effective Aug. 30, 2022.*

**Original authority: 311.660, RSMo 1939, amended 1989, 2021.*