

OUTSTATE SOLICITOR LICENSE TO SELL TO LICENSED WHOLESALERS

Solicitor License – Section 311.180

1. APPLICATION FOR SOLICITOR – Completed and notarized.
2. PRORATED FEE – Cashier’s check or money order made payable to Missouri Director of Revenue for new license type.
3. TAX BOND – Properly executed by a bonding agency and signed by the applicant(s). All new applicants submit a bond in the amount of \$1,000.00. This bond amount can be increased by ATC.
4. FEDERAL BASIC PERMIT - Copy of Federal Basic Permit.
5. NATURALIZATION CERTIFICATE OR PASSPORT – If the sole owner, any partner, or the managing officer was born outside the U.S., a copy of that individual’s naturalization certificate or valid U.S. Passport is required.
6. CRIMINAL BACKGROUND CHECK – Must be dated within six (6) months (record checks from third party vendors will not be accepted). Must include the individual’s full name and any commonly used alias(es), date of birth, and social security number. Record checks are required for the sole owner, all partners and the managing officer who are not a registered voter or a naturalized citizen.
7. PRIMARY AMERICAN SOURCE OF SUPPLY – Section 311.275, RSMo, requires all products to be registered with the state of Missouri prior to offering them for sale in Missouri. The ATC Online System is in a web based environment allowing all brand labels to be registered electronically.

"Primary American Source of Supply" means the manufacturer, bottler or owner of the brand at the time it became a marketable product or the exclusive agent of the above (cannot be both).

Applicable Statutes

Manufacturers, wholesalers, solicitors--license fees--wholesalers, sale to gaming commission licensees, allowed.

Section 311.180 (4) For the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of malt liquor containing not in excess of five percent of alcohol by weight, to, by or through a duly licensed wholesaler within this state, the sum of fifty dollars; **5S - \$50**

(5) For the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight, to, by or through a duly licensed wholesaler within this state, the sum of one hundred dollars; 22S - \$100

(6) For the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquor of all kinds, to, by or through a duly licensed wholesaler within this state, the sum of two hundred and fifty dollars; LS - \$250

(RSMo 1939 § 4898, A.L. 1945 p. 1043, A.L. 1985 H.B. 369, A.L. 1994 S.B. 651, A.L. 1995 S.B. 43, A.L. 2007 S.B. 299 & S.B. 616)

Wholesale-solicitors registration required--primary American source of supply, defined--vintage wine registration.

311.275. 1. For purposes of tax revenue control, beginning January 1, 1980, no holder of a license to solicit orders for the sale of intoxicating liquor, as defined in this chapter, within this state, other than a wholesale-solicitor, shall solicit, accept, or fill any order for any intoxicating liquor from a holder of a wholesaler's license issued under this chapter, unless the holder of such solicitor's license has registered with the division of alcohol and tobacco control as the primary American source of supply for the brand of intoxicating liquor sold or sought to be sold. The supervisor of alcohol and tobacco control shall provide forms for annual registration as the primary American source of supply, and shall prescribe the procedures for such registration.

2. Beginning January 1, 1980, no holder of a wholesaler's license issued under this chapter shall order, purchase or receive any intoxicating liquor from any solicitor, other than a wholesale-solicitor, unless the solicitor has registered with the division of alcohol and tobacco control as the primary American source of supply for the brand of intoxicating liquor ordered, purchased or received.

3. The term "primary American source of supply" as used herein shall mean the distiller, producer, the owner of the commodity at the time it became a marketable product, the bottler, or the exclusive agent of any such distiller, producer, bottler or owner, the basic requirement being that the nonresident seller be the first source closest to the manufacturer in the channel of commerce from whom the product can be secured by American wholesalers.

4. Any vintage wine solicitor licensed under section 311.180 may register as the primary American source of supply for vintage wine with the division of alcohol and tobacco control, provided that another solicitor is not registered as the primary American source of supply for the vintage wine and the vintage wine has been approved for sale by the federal Alcohol and Tobacco Tax and Trade Bureau.

(L. 1979 H.B. 701, A.L. 2007 S.B. 299 & S.B. 616)