

NORTH CAROLINA

Application #:

Fee Paid: _____
Date Rec'd: _____
Rec'd By: _____

ALCOHOLIC BEVERAGE CONTROL COMMISSION APPLICATION FOR A NONRESIDENT VENDOR ABC PERMIT, WINE SHIPPER PERMIT, SPECIAL EVENT PERMIT

Approved: Rejected:
By: _____
Date: _____

I hereby make application to the NC ABC Commission for the following permit(s): *Check the appropriate boxes.*

- Nonresident Wine Vendor (\$100) Nonresident Malt Beverage Vendor (\$100) Nonresident Spirituous Liquor Vendor (\$100)
 Winery Special Event (\$200) Malt Beverage Special Event (\$200) Spirituous Liquor Special Event (\$200)
 Wine Shipper (no fee)

Nonresident Vendor Permits (outside North Carolina)

A **Nonresident Wine Vendor permit** is issued to a winery, wholesaler, importer or bottler located outside NC. This permit allows the permit holder to sell, deliver and ship unfortified and fortified wine to the licensed premises of a wholesaler in NC.

A **Nonresident Malt Beverage Vendor permit** is issued to a brewery, importer or bottler located outside NC. This permit allows the permit holder to sell, deliver and ship malt beverages to the licensed premises of a wholesaler in NC.

A **Nonresident Spirituous Liquor Vendor permit** is issued to a brokerage or liquor importer or bottler located outside NC. This permit allows the permit holder to sell, deliver and ship NC approved liquor to the permit holder's employees located in NC and allows a brokerage to conduct special events.

Wine Shipper permit

Issued to a winery (located within or outside North Carolina) and allows the permit holder to ship unfortified and fortified wine to individuals in North Carolina.

A Wine Shipper must submit a **Brand Listing Report** with this application. A **Quarterly Report** must be submitted to the Commission showing the brands, amounts, and taxes paid for wine shipped into North Carolina (*forms available at www.abc.nc.gov under Permit Forms*).

Special Event Permits

A **Winery Special Event permit** is issued to the holder of an unfortified winery permit, a limited winery permit, a viticulture/enology course authorization, or a wine producer permit. Allows the permit holder to give free tastings of its wine, sell branded merchandise and sell its wine by the glass or in closed containers at trade shows, conventions, shopping malls, wine festivals, street festivals, holiday festivals, agricultural festivals, farmers markets, balloon races, local fund-raisers, and other similar events approved by the Commission.

A **Malt Beverage Special Event permit** is issued to the holder of a brewery permit, a malt beverages importer permit, a brewing, distillation and fermentation course authorization, or a nonresident malt beverage vendor permit. This permit allows the permit holder to give free tastings of its malt beverages, sell branded merchandise, and sell its malt beverages by the glass or in closed containers at trade shows, conventions, shopping malls, wine festivals, street festivals, holiday festivals, agricultural festivals, farmers markets, balloon races, local fund-raisers, and other similar events approved by the Commission.

A **Spirituous Liquor Special Event permit** is issued to the holder of a supplier representative, broker representative or distillery permit. This permit allows the permit holder to give free tastings of its spirituous liquors at ABC stores where the local board has approved the tasting, trade shows, conventions, shopping malls, street festivals, holiday festivals, agricultural festivals, balloon races, local fund-raisers, and other similar events approved by the Commission.

**APPLICATION FOR A NONRESIDENT VENDOR ABC PERMIT,
WINE SHIPPER PERMIT, SPECIAL EVENT PERMIT**

Business Information

Trade Name of Business: _____

Location Address: _____
Street Address City State Zip Code

Mailing Address: _____
Street Address/Post Office Box City State Zip Code

Type of Ownership: Individual Partnership Corporation Limited Liability Co. Limited Partnership
Owner must apply Partners must apply Officers and 25% or more shareholders must apply Members owning 25% or more must apply (managing member) General Partner Must Apply

Applicant Information *(A separate application is required for each applicant.)*

Applicant's Full Name: _____
First (No abbreviations) Middle Last

Date of Birth: _____ Soc. Sec. #: _____ Email Address: _____
(last 4 digits)

Residential Address: _____
Street Address City State Zip Code

Telephone Numbers: _____
Daytime Business Mobile Fax

Corporations/LLCs *(A separate application is required for each applicant. A person must represent a corporation or other entity.)*

Corporate/LLC/Company Name: _____

If Corporation, position/title: President Vice-President Secretary Treasurer _____ % Stockholder

If 25% or more stockholder is another entity, name of entity: _____

The representative's position in above entity

If LLC: Member-Managed LLC Manager-Managed LLC

(LLC's must provide a copy of the Operating Agreement)

If a Limited Partnership, Limited Partnership Name: _____

General Partner Name: _____

Describe the operation of this business: _____

Has disapproval ever been given by any government agency to any application or notice of intent to manufacture, use, store, rectify, bottle, distribute, sell, import or transport distilled spirits, beer or wine, filed by you or any firm or corporation of which you were the proprietor or a partner, officer, director, principle stockholder, or responsible employee? Yes No

If yes, please explain: _____

Have you, or any firm in which you were a principle, ever been compromised by payment of penalties or otherwise, any violation of any federal or state laws relating to internal revenue or customs taxation of alcoholic beverages? Yes No

If yes, please explain: _____

Do you hold any financial interest in or do you receive or pay any profits or salary, from or to any retail malt beverage or wine outlet in North Carolina? Yes No

If yes, please explain: _____

REQUIRED DOCUMENTS

- ❖ A copy of the **Federal Basic Permit or Brewer’s Notice** (*obtained from TTB*) is required.
- ❖ A **corporation** must submit a copy of its **Articles of Incorporation**.
- ❖ An **LLC** must submit a copy of its **Articles of Organization** and a copy of its **Operating Agreement**.
- ❖ A completed copy of the **Ownership Verification Form** is required for Corporations, LLC’s, Partnerships and Limited Partnerships. It must be completed in its entirety, signed and the signature notarized. (*form available at www.abc.nc.gov under Permit Forms*)
- ❖ The fee must be paid by certified check, cashier’s check, money order or that business’ company check made payable to **NC ABC Commission**, or credit card (Visa, MasterCard or Discover).

It is a crime to make a false statement to obtain an ABC Permit.

I CERTIFY UNDER OATH OR AFFIRMATION THAT:

- ❖ The information on this application is correct to the best of my knowledge.
- ❖ I am not less than 21 years of age.
- ❖ I have not been convicted of a misdemeanor controlled substance offense nor an alcoholic beverage offense in the past two (2) years.
- ❖ I have not been convicted of a felony within the past three (3) years, and if convicted of a felony before then, I have had my citizenship restored.
- ❖ (Note: Conviction is defined as, “A person who has been “convicted” and found guilty or has entered a plea of guilty or nolo contendere, and for which a judgment has been entered.”)
- ❖ I have not had an alcoholic beverage permit revoked within the past three (3) years.
- ❖ I understand that I can only engage in activities authorized by the N.C. ABC Laws for the permit issued.
- ❖ I understand that before any wine or malt beverage product is offered for sale in this state, the product and the label must be approved by the NC ABC Commission.
- ❖ I am not an officer, director or affiliate and have no financial interest in, nor do I receive from or pay any profits or salary to any N.C. retail malt beverage or wine outlet.

STATE OF NC, COUNTY OF _____

Signature of Applicant

Date

Sworn to and subscribed before me this the

_____ of _____
Day Month Year

My Commission Expires: _____
Date of Expiration

Signature of Notary or other person qualified by law to administer oaths

(NOTE: MUST BE STAMPED OR SEALED BY NOTARY)

FORWARD THIS APPLICATION, FEE(S) AND REQUIRED DOCUMENTS TO:

If sending USPS, Express Mail, FedEx or UPS:

As an alternative for US Postal Service (regular delivery):

**NC ABC COMMISSION
400 EAST TRYON ROAD
RALEIGH, NC 27610**

**NC ABC COMMISSION
4307 MAIL SERVICE CENTER
RALEIGH, NC 27699-4307**

HOW TO APPLY FOR AN ABC PERMIT

(The additional required forms are available at www.abc.nc.gov under Permit Forms)

I. INSTRUCTIONS:

- A. **Complete** this application in its entirety. It must be signed and notarized.
- B. The correct **fee** must accompany the application. Payment must be by certified check, cashier's check, money order or company check made payable to **NC ABC Commission** or by credit card (Visa, MasterCard, Discover)
- C. The following additional **documents** are required:
 1. A copy of the **Federal Basic permit** or **Brewer's Notice** (issued by TTB).
 2. **Corporation** – A copy of the **Articles of Incorporation**.
 3. **LLC** – A copy of the **Articles of Organization** *and* a copy of the **Operating Agreement**.
 4. A copy of the **Ownership Verification Form** (available at www.abc.nc.gov under Permit Forms)
 5. **WINE SHIPPERS** – A copy of the completed **Brand Listing Report** (form).
- D. **Change in Ownership:** All permits for an establishment shall automatically expire and shall be surrendered to the Commission if: (*the new ownership must apply for permits*)
 1. Ownership of the establishment changes; or
 2. A change in membership of the ownership entity, involving the acquisition of twenty-five percent (25%) or greater interest in the ownership entity by someone who did not previously own twenty-five percent (25%) or greater interest; or
 3. Twenty-five percent (25%) or more of the stock of the corporate permittee owning the establishment is acquired by someone who did not previously own twenty-five percent (25%) or more of the stock.
- E. **Change in Location:** An ABC permit cannot be transferred from one location to another. Therefore, if the business is relocated, it must apply for ABC permits at the new location.
- F. **Change Within Establishment:** (Other than changes in ownership)
 1. LLC Manager Change – The new manager(s) must complete an application and qualify for ABC permits. No fee is required.
 2. Corporate Officer Change – The new officer(s) must complete an application and qualify for ABC permits. No fee is required.

II. WHO MUST FILE AN APPLICATION:

- A. Individual Ownership – The individual owner of the business is required to file an application.
- B. General Partnership – Each partner is required to file a separate application.
- C. Limited Partnership – The general partner(s) is required to file an application.
- D. Corporation – Each officer, and any stockholder owning 25% or more of the stock, must complete a separate application
- E. Limited Liability Company (LLC): (As reflected in the Operating Agreement)
 1. If member-managed, all members owning a 25% or greater interest must complete an application. If no one owns a 25% or greater interest, the managing member(s) must complete an application(s).
 2. If manager-managed, the person or persons acting as manager(s) on behalf of the LLC must complete an application. Additionally, any member who owns a 25% or greater interest in the company must complete an application.
- F. If a 25% interest holder of the applying entity is another business entity (partnership, corporation or LLC) or if an entity is designated as the manager of the LLC, a partner, officer or member must complete an application on behalf of that business entity.

III. PERMIT APPLICATION FEES:

All application fees must be submitted by certified check, cashiers check, money order, or that business's company check made payable to the **NC ABC Commission**, or by credit card (Visa, MasterCard or Discover). All application fees are deposited with the State Treasurer, and no provisions are made for refunds, whether the application is approved, rejected or withdrawn.

NON RESIDENT WINE, MALT BEVERAGE or SPIRITUOUS LIQUOR VENDOR: \$100.00
WINERY, MALT BEVERAGE OR SPIRITUOUS LIQUOR SPECIAL EVENT: \$200.00
WINE SHIPPER: no fee