



CHAPTER 18B

ARTICLE 13 - BEER FRANCHISE LAW

N.C.G.S. § 18B-1303.

Filing of distribution agreement; no discrimination.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-150, s. 19.6 — seventh act in the lineage	21 September 2026, 04:18 UTC	66e3f1f137b12dedc9ae221f - 55926e8590cc1cddb2b82fce - 4d376ca959fb3286

§ 18B-1303(a)

Filing. - It is unlawful for a supplier to provide malt beverages to a wholesaler unless the Commission has received notification from the supplier designating the brands of the supplier which the wholesaler is authorized to sell and the territory in which such sales may take place. If the supplier sells several brands, the agreement need not apply to all brands. A franchise agreement applies to all supplier products under the same brand name, and different categories of products manufactured under a common identifying trade name are considered to be the same brand. No supplier may provide by a distribution agreement for the distribution of a brand to more than one wholesaler for the same territory. A wholesaler shall not distribute any brand of malt beverage to a retailer whose premises are located outside the territory specified in the wholesaler's distribution agreement for that brand, except to a retail permittee's off-site airport storage premises pursuant to G.S. 18B-1011. A wholesaler may, however, with the approval of the Commission distribute malt beverages outside its designated territory during periods of temporary service interruption when requested to do so by the supplier and the wholesaler whose service is interrupted.

§ 18B-1303(b)

No Discrimination. - A wholesaler shall service all retail permit holders within the wholesaler's designated territory without discrimination and shall make a good faith effort to make available to each retail permit holder in the territory each brand of malt beverage which the wholesaler has been authorized to distribute in that area. The provisions of this subsection shall not apply to retail permit holder private label brands, which, at the retail permit holder's direction, may be sold either exclusively to the retailer that owns the brand name or to all retail permit holders within each

territory without discrimination. For purposes of this subsection, the term "retail permit holder private label brand" means a malt beverage product that is labeled with a brand name owned by a retailer.

§ 18B-1303(c)

No Price Maintenance. - A franchise agreement shall not, either expressly or by implication or in its operation, establish or maintain the resale price of any brand of malt beverages by a wholesaler.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
7 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1989	2005		2021
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1989	c. 142, s. 1	ENACTED
02	1991	c. 459, s. 9	AMENDED
03	1993	c. 415, s. 28	AMENDED
04	1995	c. 466, s. 15	AMENDED
05	2012	S.L. 2012-4, s. 1	AMENDED
06	2019	S.L. 2019-182, s. 7	AMENDED
07	2021	S.L. 2021-150, s. 19.6	AMENDED

APPARATUS II

1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 18B-1011	(a)	"off-site airport storage premises pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 18B-1303 (2021).

PINPOINT

N.C. Gen. Stat. § 18B-1303(a) (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1989, c. 142, s. 1; 1991, c. 459, s. 9; 1993, c. 415, s. 28; 1995, c. 466, s. 15; 2012-4, s. 1; 2019-182, s. 7; 2021-150, s. 19.6.)

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