

Chapter 12 Gifts, Gratuities, and Inducements

- 100 Pursuant to Miss. Code Ann. Section 67-1-77(2), no holder of a manufacturer's or wholesaler's permit, or anyone connected with the business of such holder, or for any other distiller, wine manufacturer, brewer, rectifier, blender, or bottler shall make an offer of gifts, gratuities, or inducements of any kind whatsoever to any retailer in Mississippi when such gifts or gratuities are in any way connected with or associated with any phase of the purchase, sale, marketing, distribution or control of alcoholic beverages within the State of Mississippi, except as provided below.
- 101 The holder of a manufacturer's or wholesaler's permit, or any distiller, wine manufacturer, brewer, rectifier, blender, bottler, or anyone connected with such businesses, may furnish, subject to the same requirements and limitations of the Federal Tied House Regulations and Interpretations and not otherwise contrary to state law, the following: wine list, glassware, retailer equipment, inside signs, supplies, services, educational seminars, product displays, and advertising specialties to Mississippi alcoholic beverage retailers, not to exceed nominal value.
- 102 Educational seminars, trade shows or tasting events for licensed retailers sponsored by any employee or registered agent of any alcoholic beverage manufacturer, distiller or wholesaler, are permissible at licensed on-premise establishments, establishments holding any temporary permit, or at conventions sponsored by and on behalf of alcoholic beverage retailer associations. All alcoholic beverages consumed at such seminars, trade shows, or tastings, other than approved conventions, must be furnished exclusively by the on-premise permittee on his licensed premises. Manufacturer's representatives may transport and provide alcoholic beverages for tasting and exhibition at any convention sponsored by an alcoholic retailer association convention as long as the alcoholic beverages were previously purchased from a licensed retailer in this state. Offers of samples of new products that are not available through a licensed retailer must follow the procedures for samples found in Title 35, Part II, Subpart 2, Chapter 13 of the Mississippi Administrative Code. Consumption of alcoholic beverages at all seminars, trade shows and tasting events is limited to the hours of consumption set forth in Title 35, Part II, Subpart 2, Chapter 4 of the Mississippi Administrative Code.
- 103 Any educational seminar, trade show or tasting event given for the general public (where alcoholic beverages are sampled), regardless of who sponsors the program, is limited to licensed on-premise establishments, or an establishment holding a temporary permit, with the permittee exclusively furnishing the alcoholic beverages.
- 104 Any person sponsoring an alcoholic beverage seminar or trade show occurring at a location in a wet county not possessing any on premise alcoholic beverage permit or a temporary permit shall not distribute alcoholic beverages for tasting purposes or any other purpose.
- 105 Alcoholic beverage samples, coupons, rebates or other inducements, which require proof of purchase; to anyone, are strictly prohibited. Notwithstanding the prohibition in the

preceding sentence, an industry member or its promotional representative may furnish to off-premises retailers mail-in rebates redeemable only by the manufacturer. The mail-in rebate must be accompanied by a proof of purchase. The rebate offer may only be made available at the point of sale. However, the permittee may not accept any rebate or coupon at the point of sale as full or partial payment for any product offered for sale for off-premises consumption. Nothing in this regulation is intended to prohibit the type of activity permitted by Title 35, Part II, Subpart 2, Chapter 13; and Subpart 4, Chapter 9 of the Mississippi Administrative Code.

106 Nominal value, as used in this chapter, shall be based on a per brand basis and shall mean the industry's purchase price or a reasonable wholesale value not to exceed the dollar limitations placed on said or like items pursuant to the Federal Tied House Regulations and adjustments made by the Director of the Alcohol and Tobacco Tax and Trade Bureau.

107 (Reserved)

Chapter 12 Gifts, Gratuities, and Inducements

- 100 Pursuant to Miss. Code Ann. Section 67-1-77(2), no holder of a manufacturer's or wholesaler's permit, or anyone connected with the business of such holder, or for any other distiller, wine manufacturer, brewer, rectifier, blender, or bottler shall make an offer of gifts, gratuities, or inducements of any kind whatsoever to any retailer in Mississippi when such gifts or gratuities are in any way connected with or associated with any phase of the purchase, sale, marketing, distribution or control of alcoholic beverages within the State of Mississippi, except as provided below.
- 101 The holder of a manufacturer's or wholesaler's permit, or any distiller, wine manufacturer, brewer, rectifier, blender, bottler, or anyone connected with such businesses, may furnish, subject to the same requirements and limitations of the Federal Tied House Regulations and Interpretations and not otherwise contrary to state law, the following: wine list, glassware, retailer equipment, inside signs, supplies, services, educational seminars, product displays, and advertising specialties to Mississippi alcoholic beverage retailers, not to exceed nominal value.
- 102 Educational seminars, trade shows or tasting events for licensed retailers sponsored by any employee or registered agent of any alcoholic beverage manufacturer, distiller or wholesaler, are permissible at licensed on-premise establishments, establishments holding any temporary permit, or at conventions sponsored by and on behalf of alcoholic beverage retailer associations. All alcoholic beverages consumed at such seminars, trade shows, or tastings, other than approved conventions, must be furnished exclusively by the on-premise permittee on his licensed premises. Manufacturer's representatives may transport and provide alcoholic beverages for tasting and exhibition at any convention sponsored by an alcoholic retailer association convention as long as the alcoholic beverages were previously purchased from a licensed retailer in this state. Offers of ~~S~~samples of new products that are not available through a licensed retailer must follow the procedures for samples found in Title 35, Part II, Subpart 2, Chapter 13 of the Mississippi Administrative Code. Consumption of alcoholic beverages at all seminars, trade shows and tasting events is limited to the hours of consumption set forth in Title 35, Part II, Subpart 2, Chapter 4 of the Mississippi Administrative Code.
- 103 Any educational seminar, trade show or tasting event given for the general public (where alcoholic beverages are sampled), regardless of who sponsors the program, is limited to licensed on-premise establishments, or an establishment holding a temporary permit, with the permittee exclusively furnishing the alcoholic beverages.
- 104 Any person sponsoring an alcoholic beverage seminar or trade show occurring at a location in a wet county not possessing any on premise alcoholic beverage permit or a temporary permit shall not distribute alcoholic beverages for tasting purposes or any other purpose.
- 105 Alcoholic beverage samples, coupons, rebates or other inducements, which require proof of purchase, to anyone, are strictly prohibited. Notwithstanding the prohibition in the

preceding sentence, an industry member or its promotional representative may furnish to off-premises retailers mail-in rebates redeemable only by the manufacturer. The mail-in rebate must be accompanied by a proof of purchase. The rebate offer may only be made available at the point of sale. However, the permittee may not accept any rebate or coupon at the point of sale as full or partial payment for any product offered for sale for off-premises consumption. Nothing in this regulation is intended to prohibit the type of activity permitted by Title 35, Part II, Subpart 2, Chapter 13; and Subpart 4, Chapter 9 of the Mississippi Administrative Code.

106 Nominal value, as used in this chapter, shall be based on a per brand basis and shall mean the industry's purchase price or a reasonable wholesale value not to exceed the dollar limitations placed on said or like items pursuant to the Federal Tied House Regulations and adjustments made by the Director of the Alcohol and Tobacco Tax and Trade Bureau.

107 (Reserved)