

Kansas Administrative Regulations

Kansas Department of Revenue—Division of Alcoholic Beverage Control

Article 14.—Manufacturers; Distributors; Nonbeverage Users; Farm Wineries; Microbreweries

14-14-7. Sales and transfers of alcoholic liquor by distributors authorized, export permits.

(a) A distributor may sell any alcoholic liquor pursuant to the issued license to the licensed premise of:

- (1) A distributor;
- (2) a retailer; or to
- (3) a military installation.

(b) A distributor may sell bulk wine and deliver to the licensed premise of a:

- (1) Club;
- (2) drinking establishment; or
- (3) caterer.

(c) A distributor may transfer any alcoholic liquor to another of the distributor's licensed premises. Transfers of alcoholic liquor between a distributor's licensed premises shall be evidenced by proper withdrawal and receiving tickets which shall be subject to inspection by the director.

(d)(1) Export permits may be issued by the director for the shipping of merchandise back to manufacturers when:

- (A) Non-posted items are shipped into Kansas in error;
- (B) merchandise in inventory is unsaleable and the supplier wants the merchandise returned rather than destroyed;
- (C) the distributor does not wish to retain excess merchandise received in error; or
- (D) issuing such a permit is deemed appropriate by the director.

(2) Requests to return merchandise shall be submitted to the director on forms prescribed by the director. Each request shall include:

- (A) The total number of containers or cases in the shipment;
- (B) the name, address and license number of the distributor;
- (C) the justification for issuing a permit; and
- (D) the name, address and license number of the supplier.

(3) If a distributor has received non-posted merchandise, a request for an export permit shall be submitted within five days of receipt of the merchandise.

(4) At the time of an export shipment, the distributor shall forward to the director:

- (A) a copy of the invoice signed by the distributor's agent;
- (B) a copy of the bill of lading signed by the carrier's agent; and
- (C) an affidavit of proof of claim for credit for a refund on the gallonage tax.

(5) An export permit shall not be issued, or alcoholic liquor consigned, to any person or corporation in another state who is not authorized by that state to receive alcoholic liquor. All shipments shall be made by carrier, common carrier or private carrier.

(e) This regulation shall take effect on or after October 1, 1988.

(Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 41-211, 41-801, K.S.A. 1989 Supp. 41-306, 41-306a, 41-307, 41-408, 41-701, 41-709; effective, T-89-2, Jan. 7, 1988; effective Oct. 1, 1988; amended Aug. 6, 1990.)

***** Authenticated Kansas Administrative Regulation *****