Kansas Administrative Regulations

Kansas Department of Revenue—Division of Alcoholic Beverage Control

Article 10.—Trade Practices

14-10-18. Repurchase by distributor; when allowed.

(a) Any distributor may perform any of the following:

(1) Buy back any item of alcoholic liquor or cereal malt beverage when required by the supplier;

(2) buy back any item of alcoholic liquor or cereal malt beverage from a club, drinking establishment, caterer, or retailer that has obtained the approval of the director to close out;

(3) buy back, with approval of the director, any unopened item of alcoholic liquor or cereal malt beverage for which the distributor has a franchise agreement to sell from a club, drinking establishment, caterer, or retailer who is quitting business;

(4) buy back or exchange, at the original sales price, any item of beer or cereal malt beverage that is within 14 days of its expiration date;

(5) buy back or exchange, within 24 hours after delivery, any item of alcoholic liquor that is broken, leaking, or short-filled, contains foreign material, has a soiled or stained label, or is otherwise not fit for resale to the general public; or

(6) buy back, with written permission from the director and within three business days after the end of an event conducted under a special event retailer's permit issued under K.S.A. 41-2703 and amendments thereto, any cereal malt beverage sold to the holder of the special event retailer's permit.

(b) A product shall not be returned or exchanged because it is overstocked or slow-moving.

(c) Products for which there is only a seasonal demand, including holiday decanters and certain distinctive bottles, shall not be returned or exchanged.

(Authorized by and implementing K.S.A. 41-210 and K.S.A. 41-211; effective Jan. 20, 2012.)

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