

Kansas Administrative Regulations

Kansas Department of Revenue—Division of Alcoholic Beverage Control

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

14-14-10. Manufacturer's records required, reports required, filing of affidavits.

(a) Each supplier shipping alcoholic liquor into the state of Kansas shall furnish the director with an invoice, or other commercial document or form approved by the director, covering each consignment of alcoholic liquor made into this state. The invoice document or form shall be mailed at the time the shipment leaves the manufacturer's warehouse. The invoice, copy of the commercial document or form shall also be mailed to the consignee at the time of shipment.

(b) Each supplier of alcoholic liquor shall keep records of all alcoholic liquor or wine sold by the licensee to a nonbeverage user. The records shall show the quantities of alcoholic liquor and wine sold to any nonbeverage user, the name, address, and license number of the nonbeverage user and any other information the director may require. All records of each supplier shall be maintained for three years and shall be available for inspection by the director or any agent or employee of the director or secretary upon request.

(c) Each supplier, before selling or offering to sell any alcoholic liquor to a distributor, shall file with the director a written statement sworn to under oath by the supplier, or in the case of a corporation, by one of its principal officers. In the statement, the supplier shall agree:

(1) To sell any of the brands or kinds of alcoholic liquor manufactured or distributed by it to each distributor with which it has a franchise without discrimination;

(2) that all sales will be made to each distributor in this state with which it has a franchise at the same current price; and

(3) for all spirits and wines sold in the state, to file with the director the price list of current prices offered to each distributor in this state with which it has a franchise agreement.

(d) The price listing required by paragraph (3), above, shall be filed at least every three months and shall include:

(1) The cash price for all spirits and wine sold in the state that are sold by the case;

(2) the origin of the shipments;

(3) the price per case for each size of original packages of each particular brand or kind of spirits or wine;

(4) a complete description of the alcoholic liquor to be offered for sale during the months concerned;

(5) the description of spirits and wine in cases including the brand, type, container size, number of containers in each case, actual weight per case and proof of all spirits;

(6) the alcoholic content of all wines;

(7) any other information the director may require; and

(8) the following information if such alcoholic liquor is sold in bulk by the barrel:

(A) The cash price;

(B) the wholly deferred or partly deferred payment price, f.o.b. the manufacturer's warehouse or point of shipment;

(C) the age;

(D) price per proof gallon;

(E) original gauge in bond;

(F) each class and type of particular brand or brands, if any, under which the alcoholic liquors in bulk will be bottled; and

(G) any other information the director may require.

(e) Each manufacturer shall forward by certified mail to each licensed distributor who possesses a franchise for the manufacturer's brands within the state of Kansas, a copy of the price list or amendment on the same date the price list or amendment required by subsection (d), above, is forwarded to the office of the director.

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

(Authorized by K.S.A. 1987 Supp. 41-210; implementing K.S.A. 1987 Supp. 41-402, 41-409, 41-601, 41-602, 41-1101; effective, T-89-2, Jan. 7, 1988; effective Oct. 1, 1988.)

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