



AB - 66

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Current Trade Practice Issues and Updates

1. **May alcoholic beverage wholesalers supply retailers with product at no charge at the retailer's location, for training purposes?**

In accordance with Alcoholic Beverages Article §2-315 (b)(3) and (4), a wholesaler is prohibited from providing any gift or offer of gratuity to a retail dealer. Providing alcoholic products free of charge would be considered a gift and therefore is not allowed. Furthermore, a retailer is prohibited from accepting such exchanges.

COMAR 03.02.01.13 does allow sampling of products, however those samples are not for training purposes and certain provisions must be met before sampling is allowed.

2. **Are wholesalers authorized to provide inventory services such as entering information on retailer's proprietary forms?**

In accordance with COMAR 03.02.05.11, a wholesaler may not input any inventory data on the retailer's forms. However, a wholesaler may provide inventory information on their forms, if it is a standard operating procedure for all accounts.

3. **May wholesalers provide sales and marketing data?**

In accordance with COMAR 03.02.05.11, a wholesaler may provide sales and marketing data but only to the industry as a whole and not as a request to any specific organization or any specific retailer. It is allowable for a wholesaler to put any pertinent information on their website such as trending items as long as it is available to the industry as a whole. However, a wholesaler cannot provide sales and marketing information to any retail establishment or organization that specifically seeks that information in order to gain any sort of competitive advantage or knowledge.

4. **May wholesalers restock shelves for retailers?**

COMAR 03.02.05.11 does not allow a wholesaler to restock shelves for wine and distilled spirits but a wholesaler may build displays for beer and rotate beer stock for freshness. However, a wholesaler may not rebuild any previous existing displays related to beer or restock any beer shelves.

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