

## **7-702 Purchases, Transfers and Deliveries to and from Retail Locations**

### **7-702.1 Delivery or Removal of Beer and Wine During Restrictive hours Prima Facie Evidence of Sale**

### **7-702.2 Beer and Wine must be Delivered to Licensed Premises by Wholesaler**

### **7-702.3 When Beer Sold on Credit, Dishonored Check, etc**

### **7-702.4 Sales by Retailer to Another Retailer for Resale**

### **7-702.5 Drive-In/Drive-Thru Establishments Prohibited**

## **7-702 Purchases, Transfers and Deliveries to and from Retail Locations.**

This regulation concerns the purchases, transfers, and deliveries of beer or wine to and from locations licensed to sell beer or wine.

### **7-702.1. Delivery or Removal of Beer and Wine During Restrictive hours Prima Facie Evidence of Sale.**

Any beer or wine sold, offered for sale or delivered to anyone from any licensed place of business or the removal therefrom of any beer or wine between the hours of twelve o'clock Saturday night and sunrise Monday morning is a violation against the beer and wine permit and such permit will be subject to suspension or revocation, or the South Carolina Department of Revenue may accept a monetary penalty in lieu of suspension or revocation. Any delivery or removal of beer or wine between these restrictive hours shall be prima facie evidence that a sale was made.

### **7-702.2 Beer and Wine must be Delivered to Licensed Premises by Wholesaler.**

No licensed beer wholesaler shall deliver beer or wine to anyone or any place other than a duly licensed retailer at his licensed place of business or to a duly licensed retailer from the platform of the licensed wholesaler. Nor shall a wholesaler sell or deliver to a licensed retail dealer from the platform of the licensed wholesale dealer without the licensed retail dealer possessing and first showing the wholesaler the retail dealer's copy of his retail beer and wine permit. No beer or wine shipped interstate to a licensed wholesaler may be diverted in route or shipped direct or reshipped to a beer or beer and wine retail licensee for purposes of storage or distribution by said retail licensee.

### **7-702.3. When Beer Sold on Credit, Dishonored Check, etc.**

Any holder of a beer permit or a beer and wine permit who purchases beer and/or wine on credit, whether by a dishonored check, unpaid note, or invoice, or in any other manner, from a licensed beer and wine wholesale dealer, is in violation of this Regulation and the retail dealer's permit will be subject to be suspended, cancelled or revoked or, in lieu thereof, a monetary penalty be assessed against said permit.

#### **7-702.4. Sales by Retailer to Another Retailer for Resale.**

It shall be unlawful for a person who holds a retail beer and wine permit or a retail beer permit to sell to any other holder of a retail beer and wine permit or retail beer permit for the purpose of resale of beer and/or wine.

Every holder of a valid wholesale beer and wine permit shall service every holder of a valid retail beer, or beer and wine permit, with store-door delivery on at least a weekly basis within the territory designated by the producer. The violation of this regulation shall result in the suspension or revocation of the wholesale beer and wine permit, or a monetary penalty in lieu thereof.

#### **7-702.5. Drive-In/Drive-Thru Establishments Prohibited.**

A permit holder, employee of a permit holder, or agent of a holder must not sell or deliver beer or wine to anyone who remains in a motor vehicle during the transaction. This regulation is specifically intended to prohibit the sale of beer and wine at drive-in/drive-thru establishments and on a curbside service basis.

**HISTORY: Added by State Register Volume 27, Issue No. 6, Part 2, eff June 27, 2003. Amended by State Register Volume 29, Issue No. 4, eff April 22, 2005.**