

4301:1-1-05 Mixed beverages: requirements.

(A) Every mixed beverage manufacturer, supplier, importer, bottler, or wholesale distributor operating in the state of Ohio shall have the appropriate federal permit or certificate, in effect, issued by the federal government.

(B) Enforcement.

(1) Statement of contents and ingredients. Upon request of the division, a manufacturer, supplier, importer, bottler, or wholesale distributor of mixed beverages shall submit to the division a full, complete, and accurate statement of the contents and ingredients of any mixed beverage to which a label is to be or has been affixed. Such statement shall be confidential and shall not be disclosed by any officer or employee of the division, except pursuant to a court order or a subpoena issued for proceedings before the liquor control commission.

(2) Samples required. Every mixed beverage manufacturer, supplier, importer, bottler, wholesale distributor, or retail permit holder shall furnish, upon demand of and without cost to the commission or division, samples of all mixed beverages upon its premises for analysis.

(3) Suspension or revocation. The license or authorization to operate of any mixed beverage manufacturer, supplier, importer, bottler, wholesale distributor, or retail permit holder may be suspended or revoked, upon proof of violation of any of the provisions of these rules, as provided by the laws of this state.

(C) No manufacturer, supplier, importer, bottler, or wholesale distributor of mixed beverages may fix the price to be charged for any package by any other permit holder.

(D) No manufacturer, supplier, importer, or bottler of mixed beverages may differentiate the price of mixed beverages sold to wholesale distributors, except when such price differentials are based on reasonable business grounds. A differential price may not be based on a wholesale distributor's refusal to participate in a price promotion. No manufacturer, supplier, importer, or bottler of mixed beverages may require a wholesale distributor, and no wholesale distributor of mixed beverages may require a retail permit holder, to participate in any price promotion.

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