

MICHIGAN LIQUOR CONTROL CODE OF 1998 (EXCERPT)
Act 58 of 1998

436.1610d Cooperative advertising; exceptions; instant rebate coupons; limitations; "cooperative advertising" defined.

Sec. 610d. (1) There must not be cooperative advertising:

(a) Between a manufacturer, an outstate seller of beer, an outstate seller of wine, and a retailer.

(b) Between a wholesaler and a retailer.

(c) Between a manufacturer, an outstate seller of beer, an outstate seller of wine, and a wholesaler.

(2) A manufacturer, an outstate seller of beer, or an outstate seller of wine may do any of the following:

(a) Pay any portion of the cost of painting a truck of a wholesaler.

(b) Supply a brand logoed decal or advertising mat, or both, to a wholesaler without cost.

(c) Use the name or logo of the wholesaler of the outstate seller of beer or outstate seller of wine in the advertising of the outstate seller of beer or outstate seller of wine.

(3) The name of a retailer must not appear in the advertising of a manufacturer, an outstate seller of beer, an outstate seller of wine, or a wholesaler.

(4) A retailer may offer consumers instant rebate coupons for use with alcoholic liquor purchases. An instant rebate coupon issued under this subsection must comply with all of the following:

(a) A retailer shall only issue coupons that state a specific expiration date and specific cash refund value on the coupons.

(b) A retailer shall not issue coupons that make any alcoholic liquor free. For spirits, the retailer shall only issue coupons where the specific cash refund amount does not exceed 35% of this state's minimum shelf price for the products purchased and does not reduce the retail price of any product below \$2.00 a bottle.

(c) A retailer may issue coupons that can be applied to more than 1 specific product from a manufacturer, but must state the manufacturer to which they apply.

(d) A retailer shall issue coupons that require the retail customer to purchase at least 1 product of alcoholic liquor to redeem a coupon. A retailer may issue coupons that require the retail customer to purchase 2 or more alcoholic liquor products from the same manufacturer to redeem the coupon.

(e) For spirits, a retailer shall only issue coupons for the 375 milliliters or larger size bottles.

(f) A supplier or wholesaler of beer or wine shall not pay for or participate in the offering of an instant rebate coupon.

(5) As used in this section, "cooperative advertising" means a jointly funded effort between licensees or between vendors of spirits.

History: Add. 2018, Act 426, Imd. Eff. Dec. 20, 2018.