

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

Location: 400 EAST TRYON ROAD
RALEIGH NC 27610
(919) 779-0700

MAIL TO ADDRESS ON BACK OF FORM

HOW TO APPLY FOR A NONRESIDENT VENDOR ABC PERMIT

I. INSTRUCTIONS

- A. Complete this application in its entirety. It must be signed and notarized.
- B. The correct fee(s) must accompany the application. Payment must be by certified check, cashier's check, money order or company check and made payable to the North Carolina ABC Commission.
- C. The following additional documents are required:
 - 1. A copy of the Federal Basic permit or Brewers Notice.
 - 2. **Corporations** – Articles of Incorporation.
 - 3. **LLC's** – Articles of Organization. If manager managed, a copy of the operating agreement must be submitted. If LLC is managed by an outside entity, a management contract must also be submitted.
- D. **Change in Ownership** – All permits for an establishment shall automatically expire and shall be surrendered to the Commission if:
 - 1. Ownership of the establishment changes; or
 - 2. A change in the membership of the firm, association or partnership owning the establishment, involving the acquisition of twenty-five percent (25%) or greater interest in the firm, association or partnership by someone who did not previously own twenty-five (25%) or greater interest; or
 - 3. Twenty-five percent (25%) or more of the stock of the corporate permittee owning the establishment is acquired by someone who did not previously own twenty-five percent (25%) or more of the stock.
- E. **Change in Location** – An ABC permit cannot be transferred from one location to another. Therefore, if you relocate your business, you must apply for ABC permits at the new location.
- F. **Changes Within Establishment** – (Other than changes in Ownership).
 - 1. **LLC Manager Change** – Each new manager must complete an application and qualify for ABC permits. No fee is required.
 - 2. **Corporate Officer Change** – Each new officer must complete an application and qualify for ABC permits. No fee is required.

II. WHO MUST FILE

- A. **Individual Operation** – The individual owner of the business is required to file an application.
- B. **General Partnership Operation** – Each partner is required to file a separate application.
- C. **Limited Partnership** – The general partner(s) is required to file an application.

- D. **Corporation** – Each officer, and any stockholder owning 25% or more of the stock, must file separate applications. (NOTE: Articles of Incorporation must be submitted.)
- E. **Limited Liability Company (LLC)** – If member managed, all members owning 25% or greater interest must file an application; or, if no one owns 25% or greater interest, the managing members must file an application. If manager managed, the person or persons acting as manager on behalf of the LLC must file, in addition to any member who owns 25% or greater interest in the company. (**Note:** Articles of Organization must be submitted.)
- F. If a 25% interest holder is an LLC or a corporate stockholder is another business entity (partnership, corporation, or LLC), a partner, an officer or member must complete the application on behalf of that business entity.

III. FEES

All application fees must be submitted by certified check, cashier's check, money order or company check and made payable to the **North Carolina ABC Commission**. All fees are deposited with the State Treasurer, and no provisions are made for refunds whether the application is approved, rejected or withdrawn.

TYPES OF PERMITS	FEE REQUIRED
Nonresident Wine Vendor	\$100.00
Nonresident Malt Beverage Vendor	\$100.00
Malt Beverage Special Event	\$200.00

Section E

If Limited Partnership, Limited Partnership Name: _____

General Partner Name: _____

Applicant's position in general partner business entity (President, Vice President, LLC Manager, etc.): _____

Section F

Describe the operation of this business: _____

1. Has disapproval ever been given by any government agency to any application or notice of intent to manufacture, use, store, rectify, bottle, distribute, sell, import or transport distilled spirits, beer or wine filed by you or any firm or corporation of which you were proprietor or a partner, officer, director, principle stockholder, or responsible employee? Yes No
If yes, explain: _____

2. Have you or any firm in which you were a principle ever compromised, by payment of penalties or otherwise, any violation of any federal or state laws relating to internal revenue or customs taxation of alcoholic beverages? Yes No
If yes, explain: _____

3. Do you hold any financial interest in, or do you receive or pay any profits or salary from or to any retail malt beverage or wine outlet in North Carolina? Yes No If yes, explain: _____

It is a Crime to make a false statement to obtain an ABC Permit

I CERTIFY UNDER OATH OR AFFIRMATION THAT:

- The information on this application is correct to the best of my knowledge.
- I am not less than 21 years of age.
- I have not been convicted of a misdemeanor controlled substance offense nor an alcoholic beverage offense within the past two years.
- I have not been convicted of a felony within the past three years, and if convicted of a felony before then, I have had my citizenship restored.
- **Note:** Conviction is defined as "A person who has been "convicted" and found guilty, or has entered a plea of guilty or nolo contendere, and for which a judgment has been entered."
- I have had no alcoholic beverage permit revoked within three years.
- I understand that I can only engage in activities authorized by the N.C. ABC Laws for the permit issued.
- I understand that before any wine or malt beverage product is offered for sale in this state, the product and the label must be approved by the Commission.
- I am not an officer, director or affiliate and have no financial interest in, nor do I receive from or pay any profits or salary to any N.C. retail malt beverage or wine outlet.

Signature of Applicant _____
Date

Sworn to and subscribed before me this the _____
Day Month Year

My commission expires _____
Date of expiration _____
Notary or other person qualified by law to administer oaths
Note: Must be stamped or sealed by notary

FORWARD THIS APPLICATION, FEE(S), & REQUIRED DOCUMENTS TO:

If sending by U.S. Postal Service (regular mail):
NC ABC COMMISSION
4307 MAIL SERVICE CENTER
RALEIGH NC 27699-4307

If sending by U.S. Postal Service EXPRESS MAIL, FEDEX OR UPS:
NC ABC COMMISSION
400 EAST TRYON ROAD
RALEIGH NC 27610