

35.II.2.11 Manufacturer's Representative

- 100 A manufacturer's representative, who shall be the manufacturer's control state manager or an executive officer of the company, shall be recognized by the Division only after proper application for registration has been made by the manufacturer and approved. In either case, the individual designated as a manufacturer's representative and approved to do business with the Division must be a full time employee of the manufacturer.
- 101 The manufacturer's registered representative may authorize persons to work for the manufacturer within this state; each of whom must be registered with the Division. As employees are added or replaced it will be the responsibility of the manufacturer to register or have deleted the names of such employees with the Division. Such employees may represent more than one manufacturer.
- 102 The manufacturer shall be held responsible for all activities, including the personal conduct, of all employees of the manufacturer in connection with the representation of their business in this state. Every employee or representative of a manufacturer shall observe state laws and the rules and regulations of the Division.
- 103 A manufacturer's registered representative may not distribute alcoholic beverages unless specifically authorized within these regulations. Representatives are prohibited from pouring alcoholic beverages at sponsored events, regardless of whether the manufacturer is a sponsor of the event. Representatives are authorized to pour alcoholic beverages at trade shows hosted by the manufacturer.
- 104 A manufacturer's registered representative has a duty to report any unlawful activity which violates Local Option Laws or regulations seen on a permitted premises to the Division.
- 105 The registration of a manufacturer's representative and his employees may be suspended and the manufacturer's products may be delisted by the Division and/or a civil penalty not to exceed \$1,000.00 may be imposed at the direction of the Department if it shall appear to the satisfaction of the Department that the law or the policies and/or regulations of the Division have been violated by the manufacturer, the manufacturer's registered representative, or any employee of the manufacturer working in the state.
- 106 This regulation does not affect the manufacturer's employment of legal counsel regularly engaged in the practice of law in matters concerning the application and interpretation of law. Further, this regulation does not apply to manufacturer's representatives in instances where the Division solicits special orders only for its product inventory.
- 107 A distiller's, distributor's, rectifier's, or importer's representative or employee shall be recognized under the same conditions established in this regulation for a manufacturer's representative.
- 108 (Reserved)

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