

Administrative Release

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TO: Licensed Wholesalers, County Dispensaries, and E, F, & G Licensees

SUBJECT: Retail License Requirements and Restrictions

Recently, it has come to our attention that there may be some confusion as to the status of certain holders of alcoholic beverage licenses within Maryland. While most retail licenses — primarily Class A (package store), Class B (restaurant), Class C (club), and Class D (taverns) — are issued by local Boards of License Commissioners, Class E (water vessel), Class F (railroad), and Class G (airline) licenses are issued by the Comptroller's Office. The reason the E, F, and G licenses are issued by the Comptroller and not the local liquor board is that the licensed premise is not a stationary structure but rather some vehicle or conveyance which could and often does traverse more than one Maryland jurisdiction or enter other state jurisdictions.

Holders of E, F, and G licenses, and wholesalers who sell products to or otherwise deal with the holders of such licenses, need to be aware that, unless there is a specific statutory or regulatory exception, these retail licensees must be treated in all respects like other

retailers in the state, subject to the same requirements and restrictions. This would include, but not be limited to, laws and regulations pertaining to: price filings; credit control; beer franchise; trade practices; sales to minors; and discrimination in price, quantity and quality of product. You should also note that under Article 2B of the Annotated Code of Maryland, county dispensaries are considered "licensees" when engaging in permitted wholesale or retail activities and are subject to the same requirements and restrictions respectively as other licensees, unless there is a specific statutory or regulatory exception or exemption.

Please be guided accordingly. It is suggested that wholesalers inform their suppliers of these requirements to the extent they may be affected by them.

Charles W. Ehart, DPA
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