

**§ 18B-105. Advertising.**

(a) General Rule. – No person shall advertise alcoholic beverages in this State except in compliance with the rules of the Commission.

(b) Rule-making Authority. – The Commission shall have the authority to adopt rules to:

- (1) Prohibit or regulate advertising of alcoholic beverages by permittees in newspapers, pamphlets, and other print media;
- (2) Prohibit or regulate advertising by on-premises permittees of brands or prices of alcoholic beverages via newspapers, radio, television, and other mass media;
- (3) Prohibit deceptive or misleading advertising of alcoholic beverages;
- (4) Require all advertisements of alcoholic beverages to disclose fully the identity of the advertiser and of the product being advertised;
- (5) Prohibit advertisements of alcoholic beverages on the premises of a permittee, or regulate the size, number, and appearance of those advertisements;
- (6) Prohibit or regulate advertisement of prices of alcoholic beverages on the premises of a permittee;
- (7) Prohibit or regulate alcoholic beverage advertisements on billboards;
- (8) Prohibit alcoholic beverage advertisements on outdoor signs, or regulate the nature, size, number, and appearance of those advertisements;
- (9) Prohibit or regulate advertising of alcoholic beverages by mail;
- (10) Prohibit or regulate contests, games, or other promotions which serve or tend to serve as advertisement for a specific brand or brands of alcoholic beverages; and
- (11) Prohibit or regulate any advertising of alcoholic beverages which is contrary to the public interest.

(c) A beer or wine wholesaler may give, furnish, loan, rent, or sell retailer advertising specialty items and product displays to a retail permittee, so long as the items have not been customized for an individual retail permittee, and provided that the value of the items per brand does not exceed six hundred dollars (\$600.00) per year. For the purposes of this subsection, the following definitions apply:

- (1) Product displays. – Racks, bins, barrels, casks, shelving, and similar items from which malt beverages, wine, or spirituous liquor are displayed and sold.
- (2) Retailer advertising specialty items. – Items such as trays, coasters, mats, meal checks, paper napkins, glassware, cups, foam scrapers, back bar mats, thermometers, and other similar items that bear advertising matter.

(d) The holder of a supplier representative permit, brokerage representative permit, nonresident spirituous liquor vendor permit, or distillery permit issued under G.S. 18B-1105 may give, furnish, loan, rent, or sell retailer advertising specialty items and product displays to a local board, so long as the items have not been customized for an individual local board, and provided that the value of the items per brand does not exceed one thousand dollars (\$1,000) per year. For the purposes of this subsection, the following definitions apply:

- (1) Product displays. – Racks, bins, barrels, casks, shelving, and similar items from which malt beverages, wine, or spirituous liquor are displayed and sold.
- (2) Retailer advertising specialty items. – Items such as trays, coasters, mats, meal checks, paper napkins, glassware, cups, foam scrapers, back bar mats, thermometers, and other similar items that bear advertising matter, and shall not include branded plug-in coolers. (1923, c. 1, s. 3; C.S., s. 3411(c); 1933, cc. 216, 229; 1945, c. 903, s. 1; 1947, c. 1098, ss. 2, 3; 1957, c. 1048; 1963, c. 426, s. 10; c. 460, s. 1; 1971, c. 872, s. 1; 1981, c. 412, s. 2; 2024-41, s. 4(a).)