



Things of Value

1. Can industry members give, sell, or rent coolers/cooler bags/dump bins to on- or off-premises licensee/permit holders?
Manufacturers and wholesalers are prohibited from directly or indirectly supplying, furnishing, giving, or paying for any equipment used in the storage, handling, serving, or dispensing of alcoholic beverages and food. Iowa Code § 123.45 and 185 IAC 16.40.
2. Can industry members give, sell, or rent logoed buckets or pitchers to on- or off-premises license/permit holders?
Manufacturers and wholesalers are prohibited from directly or indirectly supplying, furnishing, giving, or paying for any equipment used in the storage, handling, serving, or dispensing of alcoholic beverages and food. Iowa Code § 123.45 and 185 IAC 16.40.
3. Can industry members give, sell, or rent tents, tables and/or chairs to on- or off-premises license/permit holders?
Manufacturers and wholesalers are prohibited from directly or indirectly giving, selling, renting, or lending equipment, furnishings, or fixtures to a retailer for use by the retailer or in the retail establishment. Iowa Code §123.45, 185 IAC 16.40, and 27 CFR 6.21.
4. Can industry members give, sell, or rent dispensing equipment, coil boxes, or draft trucks with tapping equipment on the side to on- or off-premises license/permit holders?
Manufacturers and wholesalers are prohibited from directly or indirectly supplying, furnishing, giving, or paying for any equipment used in the storage, handling, serving, or dispensing of alcoholic beverages and food. Iowa Code § 123.45 and 185 IAC 16.40.
5. Can industry members park a refrigerated truck on an on- or off-premises licensed premises to store extra product in?
Manufacturers and wholesalers are prohibited from directly or indirectly supplying, furnishing, giving, or paying for any equipment used in the storage, handling, serving, or dispensing of alcoholic beverages and food. Iowa Code § 123.45 and 185 IAC 16.40.
6. Can industry members give, sell, or rent a draft system or walk-in cooler to on- or off-premises license/permit holders?
Manufacturers and wholesalers are prohibited from directly or indirectly supplying, furnishing, giving, or paying for any equipment used in the storage, handling, serving, or dispensing of alcoholic beverages and food. Iowa Code § 123.45 and 185 IAC 16.40

Things of Value (continued)

7. Can industry members give t-shirts to on- or off-premises license/permit holders for their employees to wear?
Manufacturers and wholesalers must sell wearing apparel, including sweatshirts, t-shirts, pants, shorts, hats, caps, polo-type shirts, jackets, jerseys, and other similar clothing, which bears substantial permanently affixed advertising identifying the industry member's name or products to a retailer at not less than the industry member's laid-in cost of the items. There is no dollar limitation on wearing apparel which may be sold by an industry member to a retailer. 185 IAC 16.3(6)
8. Can industry members sponsor a band or concert on a licensed premises?
Sponsorships cannot be offered as an inducement to exclude a competitor's product. Anything offered to one retailer must be uniformly offered to all retailers. Iowa Code §§ 123.45, 123.123, 123.135, 123.172, 123.180, and 27 CFR 6.41
9. Can beer or wine industry members give disposable glassware to on- or off-premises license/permit holders?
Manufacturers and wholesalers must sell one-time usage cups made of paper, paper laminate, or plastic. Iowa law requires wholesalers to charge the retailer an amount equal to or greater than the cost of the one-time usage cups. Iowa Code § 123.45.
10. Can a retailer demand industry members provide kegs, glasses, etc., at no cost prior to agreeing to carry the industry member's product?
While retailers may try to negotiate benefits from wholesalers, the law prohibits the granting of some requests. For all items not expressly prohibited, anything an industry member offers to one retailer must be uniformly offered to all retailers. Iowa Code §§ 123.45, 123.123, 123.135, 123.172, 123.180, 123.186, and 185 IAC 16.

Advertising

11. Can industry members provide banners with brand names and/or logos to be erected or placed upon the outside of the on- or off- premises license/permit holders premises?
Iowa law prohibits advertising on the outside of licensed premises if the advertising contains a brand name. Signs or other advertising matter may be erected or placed inside the premises, inside a fence or similar enclosure which wholly or partially surrounds the premises, or inside a window facing outward from the premises. Anything offered to one retailer must be uniformly offered to all retailers. Iowa Code §§ 123.51, 123.123, 123.135, 123.172, and 123.180.
12. Can industry members give, sell, or rent umbrellas for outdoor service area tables to on-premises license/permit holders?
Manufacturers and wholesalers may give, sell, or rent table umbrellas to retailers as point-of-sale items. The umbrellas must bear substantial advertising matter about the product or the manufacturer or wholesaler. Anything offered to one retailer must be uniformly offered to all retailers. Iowa Code §§ 123.45, 123.123, 123.135, 123.172, 123.180, 123.186, and 27 C.F.R., § 6.84.

Return of Product

13. Can industry members allow the return of beer, wine, or liquor that annual (12 month) on- or off-premises license/permit holders ordered too much of or is not selling?
Manufacturers and wholesalers are prohibited by both federal and state law from accepting the return of overstocked and slow-moving beer, wine or liquor. Iowa Code § 123.186, 185 IAC 16.90, and 27 C.F.R. § 11.45.
14. Can industry members allow the return of beer, wine, or liquor that seasonal (6 and 8 month) on- or off-premises license/permit holders ordered too much of or is not selling?
Manufacturers and wholesalers may accept the return of product from a seasonal licensee, if the product is likely to spoil during the off season. Manufacturers and wholesalers are under no obligation to accept the return of the product. Iowa Code § 123.186, 27 C.F.R. §§ 11.31, and 11.39.
15. Can industry members allow the return of beer, wine, or liquor that temporary (5-day and 14-day) on- or off-premises license/permit holders ordered too much of?
Manufacturers and wholesalers may accept the return of products that temporary license/permit holders have on hand at the time the retailer terminates business. Manufacturers and wholesalers are under no obligation to accept the return of the product. Iowa Code § 123.186, 185 IAC 16.90, and 27 C.F.R. § 11.35.

Ordering Product

16. Can licenses/permits that are owned by the same person/entity share their alcoholic beverages inventory between their annual licensed location and temporary licensed location?
Transferring product between retail premises is prohibited. Each premises is separately licensed and is required to operate as a separate business. Each license/permit holder must order product under the unique license/permit granted to each premises. Iowa Code §§ 123.123, 123.130, 123.172, 123.173, and 123.177.

Pricing of Product

17. Can industry members donate beer, wine or liquor to on- or off-premises license/permit holders?
Iowa law prohibits manufacturers and wholesalers from discriminating between retailers, so manufacturers and wholesalers must uniformly offer all rebates, free goods, or other discounts to all retailers. Iowa Code §§ 123.22, 123.123, 123.135, 123.172, 123.180, and 185 IAC 16.10.
18. Can industry members give a quantity discount or rebate on beer, wine, or liquor purchased by on- or off-premises license/permit holders?
Iowa law prohibits manufacturers and wholesalers from discriminating between retailers, so manufacturers and wholesalers must uniformly offer all rebates, free goods, or other discounts to all retailers. Iowa Code §§ 123.22, 123.123, 123.135, 123.172, 123.180, and 185 IAC 16.10.