

**DISCLAIMER:** This is not an exhaustive list of all violations and penalties associated with applying for, obtaining, or maintaining an ABC license and/or permit. Complying with **ALL** rules of Code of Alabama (1975) Title 28 and Alabama ABC Board Administrative Code Rules & Regulations is the responsibility of the licensee/permittee and/or the applicant(s) of a license/permit.

\*\*This in no way interferes with the right to due process. Tobacco violations that occur within a two-year period and alcohol violations that occur within a four-year period, shall be considered when determining the number of offenses.



# Violation and Penalty Schedule for Statutes and Administrative Rules

## Class I Violations – Severe Impact

Statutes	Rules	Violations	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
28-3A-25(a)(3)	20-X-6-.09(1)(a)	*Minor Sale Alcohol	\$1,000	\$1,000
28-3A-25(a)(3)	20-X-6-.09(1)(a)	*Minor Furnish Alcohol	\$1,000	\$1,000
28-3A-25(a)(3)	NA	*Minor Consume/Possess Alcohol	\$1,000	\$1,000
28-3A-25(a)(8)	NA	Illegal Transportation	\$1,000	\$1,000
28-3A-25(a)(17)	NA	Wholesaler/Distributor Operating	\$1,000	\$1,000
28-3A-25(a)(19)	NA	Buying & Selling on Sunday	\$1,000	\$1,000
28-3A-25(a)(20)	NA	Allowing Sunday Sales	\$1,000	\$1,000
28-3A-11	NA	Minor in Lounge Liquor Licensed Establishment	\$750	\$1,000
NA	20-X-5-.09	Change of Ownership, etc.	\$750	Automatic Commission Hearing
NA	20-X-5-.14	Failure to Renew Financial Responsibility	\$1000	Automatic Commission Hearing
NA	20-X-5-.15(4)	Failure to Renew Requirements of Financial Responsibility (Off-Site Tasting Room)	\$1,000	Automatic Commission Hearing
NA	20-X-5-.15(5)(a)	Employment of Minors (Off-Site Tasting Room)	\$1,000	Automatic Commission Hearing
NA	20-X-5-.15(5)(b)	Self- Service (Off – Site Tasting Room)	\$750	\$1,000
NA	20-X-6-.01(6)	Allowing Criminal Conduct	\$750	\$1,000
NA	20-X-6-.01(7)	Selling/Transporting/Possession of Untaxed Beverages	\$1,000	Automatic Commission Hearing
NA	20-X-6-.01(8)	Violating Criminal Law/Statute	\$750	\$1,000
NA	20-X-6-.02(3)	Drinking Contest	\$750	\$1,000
NA	20-X-6-.02(4)	*Serving Intoxicated Persons (On-Premise)	\$1,000	Automatic Commission Hearing
NA	20-X-6-.10	Employment of Minors	\$1,000	Automatic Commission Hearing
NA	20-X-6-.11	Obscene, Lewd, Indecent Conduct	\$750	\$1000



**Schedule Approved by the ABC Board on March 29, 2017.**

**DISCLAIMER:** This is not an exhaustive list of all violations and penalties associated with applying for, obtaining, or maintaining an ABC license and/or permit. Complying with **ALL** rules of Code of Alabama (1975) Title 28 and Alabama ABC Board Administrative Code Rules & Regulations is the responsibility of the licensee/permittee and/or the applicant(s) of a license/permit.

\*\*This in no way interferes with the right to due process. **Tobacco** violations that occur within a **two-year** period and **alcohol** violations that occur within a **four-year** period, shall be considered when determining the number of offenses.

NA	20-X-6-.14(1)	*Sell, Furnish, Give Intoxicated Persons (Off Premise)	\$1,000	Automatic Commission Hearing
NA	20-X-6-.15	Gambling	\$750	\$1,000
NA	20-X-6-.18(3)(b)	Employment of Minors (Draft Beer)	\$1,000	Automatic Commission Hearing
NA	20-X-6-.18(4)(b)	No Delivery or Direct Shipping	\$750	\$1,000
NA	20-X-6-.18(4)(c)	Sold/Distributed to a Retailer	\$750	\$1,000
NA	20-X-6-.18(4)(d)	Filling/Refilling by Consumer	\$750	\$1,000
NA	20-X-8-.14	Requirements of Financial Responsibility by Manufacturers	\$1,000	Automatic Commission Hearing



**DISCLAIMER:** This is not an exhaustive list of all violations and penalties associated with applying for, obtaining, or maintaining an ABC license and/or permit. Complying with **ALL** rules of Code of Alabama (1975) Title 28 and Alabama ABC Board Administrative Code Rules & Regulations is the responsibility of the licensee/permittee and/or the applicant(s) of a license/permit.

**\*\*This in no way interferes with the right to due process. Tobacco** violations that occur within a **two-year** period and **alcohol** violations that occur within a **four-year** period, shall be considered when determining the number of offenses.

## Class II Violations – Moderate Impact

Statutes	Rules	Violations	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
28-3A-23(g)	NA	Beer Container Size (Other than Draft or Keg)	\$500	\$750
28-3A-25(a)(1)	NA	After Hours Sales by Manufacturer/Wholesaler	\$750	\$1,000
28-3A-25(a)(2)	NA	Illegal Sales by Wholesaler	\$750	\$1,000
28-3A-25(a)(4)	20-X-6-.14(3)	Consuming in Off Premise Establishment	\$500	\$750
28-3A-25(a)(9)	NA	Fortified, Adulterated, Contaminated	\$750	\$1,000
28-3A-25(a)(10)	NA	Inducement	\$500	\$750
28-3A-25(a)(15)	NA	Unauthorized Industry Representative	\$500	\$750
28-3A-12	NA	Club Selling on Sunday to Go or Selling/Serving Non-Members	\$750	\$1,000
28-3A-13	NA	Restaurant Selling Alcoholic Beverages to Go	\$500	\$750
NA	20-X-5-.03(4)	Membership Records	\$750	\$1,000
NA	20-X-5-.03(5)	Allowing Non-Members	\$500	\$750
NA	20-X-5-.03(6)	Guests Allowed by Employees	\$500	\$750
NA	20-X-5-.06	Package Sales for Lounge & Club Liquor Licensees Only	\$500	\$750
NA	20-X-5-.13(1)(b)	Package Store; Selling Unauthorized Items	\$500	\$750
NA	20-X-5-.15(5)(c)	Outside Sales (Off-Site Tasting Room)	\$500	\$750
NA	20-X-5-.15(5)(d)	Sale of Non-Licensed Beverages (Off – Site Tasting Room)	\$750	\$1,000
NA	20-X-5-.15(5)(e)	Wine Label Approval (Off-Site Tasting Room)	\$500	\$750
NA	20-X-5-.15(5)(f)	Failure to Keep Records On Premise (Off-Site Tasting Room)	\$500	\$750
NA	20-X-6-.01(9)	Retail Sales Not Made Inside Licensed Premises	\$500	\$750
NA	20-X-6-.01(12)	Sale/Possession/Consumption of Non-Licensed Beverages (Brown Bagging)	\$500	\$750
NA	20-X-6-.01(14)	Outside Sales	\$500	\$750
NA	20-X-6-.02(5)	Licensee/Employee Consuming While Serving (On-Premise)	\$500	\$750
NA	20-X-6-.03(1)	Broken Seal (Liquor in Non-Original Container)	\$300	\$500



**DISCLAIMER:** This is not an exhaustive list of all violations and penalties associated with applying for, obtaining, or maintaining an ABC license and/or permit. Complying with **ALL** rules of Code of Alabama (1975) Title 28 and Alabama ABC Board Administrative Code Rules & Regulations is the responsibility of the licensee/permittee and/or the applicant(s) of a license/permit.

\*\*This in no way interferes with the right to due process. Tobacco violations that occur within a **two-year** period and alcohol violations that occur within a **four-year** period, shall be considered when determining the number of offenses.

NA	20-X-6-.03(3)	Refilling Any Alcoholic Beverage Container	\$500	\$750
NA	20-X-6-.04(4)	Licensee not Purchasing from ABC Wholesale	\$500	\$750
NA	20-X-6-.04(4)	Licensee Failure to Keep Records/Receipts on Premise	\$500	\$750
NA	20-X-6-.04(5)	Selling to Other Licensees for Resale/Buying from Other Licensee for Resale	\$500	\$750
NA	20-X-6-.09(1)(d)	Accepting Improper ID	\$500	\$750
NA	20-X-6-.14(2)	Consuming Alcoholic Beverages During Working Hours (Off-Premise)	\$500	\$750
NA	20-X-6-.18(6)	Labeling Requirements for Draft Beer (Manufacturers/Brewpub)	\$500	\$750
NA	20-X-7-.09	Prohibited Use of ABC Name/Logo/Emblem	\$500	\$750
NA	20-X-8-.09	Credit Sales by Wholesalers	\$500	\$750
NA	20-X-8-.10	Wholesale Delivery	\$500	\$750
NA	20-X-8-.12(1)	Beer/Table Wine Label Approval	\$500	\$750
NA	20-X-9-.04(1)(a)	Maintaining Beer/Wine Label Approval and Spirit Listing Code	\$500	\$750
NA	20-X-9-.04(1)(b)	Reporting Requirements for Manufacturers	\$500	\$750
NA	20-X-9-.04(2)	Tax Reporting and Payment for Beer Manufacturers	\$500	\$750
NA	20-X-9-.04(3)	Tax Reporting and Payment for Brewpub	\$500	\$750
NA	20-X-9-.04(4)	Tax Reporting and Payment for Wine Manufacturers	\$500	\$750
NA	20-X-9-.04(5)	Tax Reporting and Payment for Spirit Manufacturers	\$500	\$750



**DISCLAIMER:** This is not an exhaustive list of all violations and penalties associated with applying for, obtaining, or maintaining an ABC license and/or permit. Complying with **ALL** rules of Code of Alabama (1975) Title 28 and Alabama ABC Board Administrative Code Rules & Regulations is the responsibility of the licensee/permittee and/or the applicant(s) of a license/permit.

**\*\*This in no way interferes with the right to due process. Tobacco** violations that occur within a **two-year** period and **alcohol** violations that occur within a **four-year** period, shall be considered when determining the number of offenses.

## Class III Violations – Low Impact

Statutes	Rules	Violations	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
28-3A-20.1	NA	Removal of Resealed Bottle of Wine from the Licensed Premises	\$300	\$500
28-3A-25(a)(11)	NA	Transporting in Original Container	\$300	\$500
28-3A-23(c)	20-X-6-.01(10)	Posting License	\$300	\$500
NA	20-X-5-.09(7)	Change in Trade Name	Warning	\$300
NA	20-X-5-.13(1)(c)	Package Store Interior Doors/Window/Passageway	\$300	\$500
NA	20-X-5-.13(1)(d)	Package Store Minimum Inventory	\$300	\$500
NA	20-X-5-.13(1)(e)	Package Store (Flashing Signs)	Warning	\$300
NA	20-X-5-.14(2)(a)	Failure to Keep Financial Responsibility on Licensed Premise	\$300	\$500
NA	20-X-6-.01(11)	Beverage Lockers	\$300	\$500
NA	20-X-6-.01(13)	Fail to Provide Membership Card/Key Code/Etc.	\$300	\$500
NA	20-X-6-.02(6)	Adequate Footage & Control Of Service	\$300	\$500
NA	20-X-6.02(7)	Adequate Tables & Seating	\$300	\$500
NA	20-X-6-.03(2)	More Than 1 Bottle of Same Brand Open at a Station	Warning	\$300
NA	20-X-6-.03(3)	Destroying Empty Bottles	Warning	\$300
NA	20-X-6-.04(2)	Posting Amount of Liquor	Warning	\$300
NA	20-X-6-.04(6)	Inadequate Lighting	Warning	\$300
NA	20-X-6-.05	Premixed Dispensers (Health Permit)	Warning	\$300
NA	20-X-6-.06	Person In Charge Sign	Warning	\$300
NA	20-X-6-.08	Display of Alcoholic Beverages	Warning	\$300
NA	20-X-6-.12	Premiums/Presents to Induce Purchase	\$300	\$500
NA	20-X-6-.13	Happy Hour Limitations	\$300	\$500
NA	20-X-6-.16	Retail Price List	Warning	\$300
NA	20-X-6-.18(1)	Draft Beer Containers	\$300	\$500
NA	20-X-6-.18(3)(a)	Draft Beer Containers for Off Premise Consumption	\$300	\$500
NA	20-X-6-.18(3)(c)	Filling/Refilling from Original Container	\$300	\$500
NA	20-X-6-.18(4)(a)	Filling/Refilling in Advance of a Sale	\$300	\$500
NA	20-X-6-.18(5)	Sealing Requirements for Filled/Refilled Containers (Draft Beer)	\$300	\$500
NA	20-X-7-.01	Advertising, General	Warning	\$300
NA	20-X-7-.02	Advertising By Radio & Television	Warning	\$300



*Schedule Approved by the ABC Board on March 29, 2017.*

**DISCLAIMER:** This is not an exhaustive list of all violations and penalties associated with applying for, obtaining, or maintaining an ABC license and/or permit. Complying with **ALL** rules of Code of Alabama (1975) Title 28 and Alabama ABC Board Administrative Code Rules & Regulations is the responsibility of the licensee/permittee and/or the applicant(s) of a license/permit.

\*\*This in no way interferes with the right to due process. Tobacco violations that occur within a **two-year** period and alcohol violations that occur within a **four-year** period, shall be considered when determining the number of offenses.

NA	20-X-7-.03	Advertising By Printed Material	Warning	\$300
NA	20-X-7-.04	Advertising By Billboards	Warning	\$300
NA	20-X-7-.05	Cooperative Advertising (Beer)	\$300	\$500
28-3-16	NA	Prohibited Advertising	\$300	\$500
NA	20-X-7-.06	Aerial Displays	Warning	\$300
NA	20-X-7-.07	Wine Tasting	\$300	\$500
NA	20-X-7-.10	Beer Tastings	\$300	\$500
NA	20-X-7-.11	Spirits Tastings	\$300	\$500
NA	20-X-8-.07	Samples- Gifts- Gratuities	\$300	\$500
28-3A-10	20-X-8-.08	Warehousing (Wholesaler, Importer, or Manufacturer)	\$300	\$500
NA	20-X-8-.11	Keg or Draft Beer	\$300	\$500



**DISCLAIMER:** This is not an exhaustive list of all violations and penalties associated with applying for, obtaining, or maintaining an ABC license and/or permit. Complying with **ALL** rules of Code of Alabama (1975) Title 28 and Alabama ABC Board Administrative Code Rules & Regulations is the responsibility of the licensee/permittee and/or the applicant(s) of a license/permit.

\*\*This in no way interferes with the right to due process. **Tobacco** violations that occur within a **two-year** period and **alcohol** violations that occur within a **four-year** period, shall be considered when determining the number of offenses.

### Tobacco Violations

*\*All of the tobacco violation fines are predetermined by the ABC Rules/Regulations and Code of Alabama.*

Statutes	Rules	Violations	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
13A-12-3	20-X-24.01(a)	Sale of Tobacco Products to a Minor	\$200	\$400
NA	20-X-23-.03	Change of Ownership, etc.	\$200	\$400
NA	20-X-23-.03(6)	Change in Trade Name	Warning	\$300
NA	20-X-24-.01(e)	Accepting an Invalid Identification	\$200	\$400
28-11-6	NA	Sale of Tobacco in Non-Original Container Except Cigars	\$200	\$400
28-11-13	NA	Minor Selling Tobacco Products Without an Adult Present	\$200	\$400
28-11-8	NA	Failure to Display Tobacco Permit	\$300	\$500
28-11-8	NA	Failure to Obtain Tobacco Permit	\$500	\$750
28-11-6.2	NA	Self – Service Displays	\$200	\$400
28-11-15	NA	Posting of Sign	Warning	\$200
28-11-6.1	NA	Vending Machines	\$200	\$400

**ALL WARNINGS ARE WRITTEN WARNINGS.**

