



Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Mailing Address: PO Box 30005, Lansing, MI 48909  
Toll Free 866-813-0011 – [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

## **MCL 436.1609 Prohibits Brand-Logoed Refrigerators**

### **Retailers Must Not Use or Possess Brand-Logoed Refrigerators on Licensed Premises**

Pursuant to MCL 436.1609(5), a refrigerator marked with a brand name or brand logo of an alcoholic liquor brand must not be used or possessed by a retailer licensee on its licensed premises, even if the retailer purchased the brand-logoed refrigerator. Brand-logoed refrigerators are not included in the list of allowable brand-logoed barware items in MCL 436.1609(11)(a) that a retailer licensee may use or possess on its licensed premises.

A retailer licensee must not accept a brand-logoed refrigerator as a loan or gift from a Wholesaler licensee, manufacturer licensee, outstate seller licensee, or Vendor of Spirits, pursuant to MCL 436.1609(1).

A retailer that has an alcoholic liquor brand-logoed refrigerator on its licensed premises must remove the refrigerator or face a possible violation under the Michigan Liquor Control Code.

This law does not prohibit a retailer licensee from possessing or using refrigerators with soft drink brand logos on its premises, but the retailer licensee must not accept the refrigerator as a loan or gift from a Wholesaler licensee.

---

### **Wholesalers, Manufacturers, Outstate Sellers, Vendors of Spirits Must Not Give, Loan, or Sell Brand-Logoed Refrigerators to Retailers**

A Wholesaler licensee, manufacturer licensee, outstate seller licensee, or Vendor of Spirits must not loan or give brand-logoed refrigerators to retailer licensees, pursuant to MCL 436.1609(1), and must not sell a brand-logoed refrigerator to a retailer license, pursuant to MCL 436.1609(5).

A Wholesaler licensee that also distributes nonalcoholic products, such as soft drinks, to a retailer licensee must comply with the provisions of MCL 436.1609 as required by MCL 436.1609g. A Wholesaler licensee must not loan or give a refrigerator to a retailer licensee even if the refrigerator only displays the brand logo of a soft drink and does not contain a brand logo of an alcoholic liquor product.

---

### **Violations for Brand-Logoed Refrigerators**

A retailer licensee that has refrigerator with a brand logo of an alcoholic liquor brand on its licensed premises will be cited for a violation under MCL 436.1609(5).

A retailer licensee accepting a brand-logoed refrigerator from a Wholesaler licensee, manufacturer licensee, outstate seller licensee, or Vendor of Spirits will be cited for a violation under MCL 436.1609(1).

A Wholesaler licensee, manufacturer licensee, outstate seller licensee, or Vendor of Spirits that loans or gives a brand-logoed refrigerator to a retailer licensee will be cited for a violation under MCL 436.1609(1).



## Applicable Michigan Liquor Control Code Citations

**MCL 436.1609(1)** ...a manufacturer, mixed spirit drink manufacturer, warehouse, wholesaler, outstate seller of beer, outstate seller of wine, outstate seller of mixed spirit drink, or vendor of spirits shall not aid or assist any other vendor by gift, loan of money or property of any description, or other valuable thing, or by the giving of premiums or rebates, and a vendor shall not accept the same.

**MCL 436.1609(5)** A retailer shall not use or possess, at its licensed premises, advertising items that have a use or value beyond the actual advertising of brands and prices of alcoholic liquor except for those items... as otherwise allowed under this subsection. A retailer may possess and use brand logoed barware that advertises spirits if the items are purchased from a manufacturer of spirits, vendor of spirits, salesperson, broker, or barware retailer. A retailer may possess and use brand logoed barware that advertises beer or wine if the items are purchased from a barware retailer.

**MCL 436.1609(10)** ...the commission may, by rule, add an item to or remove an item from the definition of barware.... The commission shall not issue a rule that adds refrigerator systems, draft systems, or furniture to the definition of barware.

**MCL 436.1609(11)(a)** "Barware" means the following brand logoed items:

- (i) Trays.
- (ii) Coasters.
- (iii) Napkins.
- (iv) Shirts.
- (v) Hats.
- (vi) Pitchers.
- (vii) Drinkware that is intended to be reused.
- (viii) Bar mats.
- (ix) Buckets.
- (x) Bottle openers.
- (xi) Stir rods.
- (xii) Patio umbrellas.
- (xiii) Any packaging used to hold and deliver the alcoholic liquor purchased by the retailer.
- (xiv) Any other items that have been added by the commission under subsection (10).

**MCL 436.1609g(1)** If a wholesaler sells nonalcoholic products to a retailer, this act does not apply to the sale, marketing, merchandising, or distribution of the nonalcoholic products except the following:

- (a) The wholesaler shall comply with section 609.
- (b) The wholesaler shall not do either of the following:
  - (i) Provide free nonalcoholic products to a retailer.
  - (ii) Provide credit to a retailer.