

SPECIAL MARKETING AGENT PERMIT APPLICATION INSTRUCTIONS

N.J.A.C. 13:2-37.1(b) allows approved applicants for a Special Marketing Agent Permit to engage the services of outside marketing agencies to participate in alcoholic beverage tasting events at a licensed plenary retail premises. Such applicants must possess a New Jersey Wholesale License; however, only wholesale licensees who DO NOT sell product to New Jersey retailers are eligible to apply for a Special Marketing Agent Permit.

There are three parts to the application process which must be completed before a marketing agent employee can participate in any alcoholic beverage tasting events.

STEP ONE: OBTAIN A MARKETING AGENT PERMIT

The Wholesale/Supplier licensee must complete an Application for Marketing Agent Permit and remit the required \$1,000 fee. The form requires information such as the applicant's New Jersey 12-digit license number, the name and address of the licensee and its contact name, phone number and email address. Most importantly, the applicant must supply the name of the marketing agency the applicant wishes to designate, as well as a contact name, phone number and email address for the designated marketing agency. A separate Special Marketing Agent Permit must be obtained for each designated marketing agency.

Please note that the applicant MUST acknowledge that pursuant to N.J.A.C. 13:2-5.6, any supplier, manufacturer or importer who obtains a Special Marketing Agent Permit shall be responsible for all actions taken or violations of New Jersey alcoholic beverage law by any employee or representative of a designated marketing agency, similar to the responsibility for individuals on the Division's E-141-A forms. Violations can result in punitive action by the Division, including suspension or revocation of the applicant's New Jersey license or permit.

STEP TWO: MARKETING AGENCY EMPLOYEES MUST OBTAIN A MARKETING AGENT IDENTIFICATION CARD

Upon issuance by the Division of a Marketing Agent Permit, which lists the designation of the specific marketing agency by the Wholesaler/Supplier licensee, each employee of the designated marketing agency shall be required to complete an Application for Marketing Agent Identification Card and remit the \$15 fee (in the form of a check or money order made payable to the Division). The application requires information such as the name, address, phone number, email address of the employee-applicant. Additionally, the employee-applicant must provide his/her driver's license number and attach a business card or a copy of an employee ID card from the designated marketing agency.

Please note that before participating in any alcoholic beverage tasting event, each individual employee of a designated marketing agency covered by a Special Marketing Agent Permit must obtain a Marketing Agent Identification card. Also, each employee of a designated marketing agency who obtains a Marketing Agent Identification Card

is only authorized to pour samples of alcoholic beverages for consumers from the inventory of a participating retail licensee. The holder of a Marketing Agent Identification Card is prohibited from selling or taking orders for any alcoholic beverage product form consumers or retailers. EACH EMPLOYEE MUST WEAR THEIR CURRENT MARKETING AGENT ID CARD AT EVERY EVENT.

STEP THREE: FILE A MARKETING AGENT NOTIFICATION FORM 10 DAYS BEFORE EACH EVENT

At least 10 days prior to any tasting event where a holder of a Special Marketing Permit wishes to utilize the services of its designated marketing agency, the Wholesale/Supplier licensee who holds the permit must complete and fax to the Division a Marketing Agent Notification Form. This form requires the Wholesale/Supplier's name and Special Marketing Permit number, as well as specific information regarding the event such as the date, time, and location of the event and a list of the individual employees of the designated marketing agency who will be participating. Finally, the Wholesale/Supplier licensee holding the Special Marketing Permit must list the brand registration number for each alcoholic beverage product which is to be sampled at the tasting event.

ADDITIONAL INFORMATION:

Please note that all of the individual employees of the designated marketing agency MUST possess a valid Marketing Agent Identification Card obtained from the Division. Additionally all products used at the tasting event MUST be brand registered and obtained from the inventory of the participating retail licensee.