

**LAW AND PUBLIC SAFETY**

**DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

**Notice of Receipt of Petition for Rulemaking**

**Regulation of Wholesaler Credit Regulation, N.J.A.C. 13:2-24.4, et seq.**

Petitioner: Michael I. Halfacre, Esq., Executive Director, Beer Wholesalers of New Jersey and President and CEO of Credit Compliance Corporation

**Take notice** that on June 13, 2019, the Division of Alcoholic Beverage Control (the “Division”) has accepted a petition for rulemaking from the above-referenced Petitioner. Petitioner requests rulemaking to permit wholesalers and Credit Compliance Corporation to serve Notices of Obligation electronically upon retailers through the existing Credit Compliance system.

Petitioner states that the purpose of the request is to facilitate compliance with the regulation and to save wholesalers’ time and money for the costs incurred in mailing Notices of Obligation to retailers. N.J.A.C. 13:2-24.4(c) currently allows a wholesaler to transmit a written or electronic Notice of Delinquency to a delinquent retailer on the third business day after the Notice of Obligation is sent by the wholesaler. Petitioner states that Credit Compliance Corporation currently sends Notices of Delinquency electronically which has led to increased compliance with the regulation. Petitioner states that the email system is more efficient as it provides retailers with “real time” notice of delinquency and because it eliminates “extra” days for mailing, credit is not extended past the intended time frame of the regulation. N.J.A.C. 13:2-24.4(a)(1). Further, since the vast majority of communications between wholesalers and retailers are through electronic mail or in person, it makes sense that Notices of Obligation also be permitted to be sent via electronic mail.

This notice and the full text of the petition filed in this matter are available on the Division’s website at <https://www.nj.gov/oag/abc/index.html>.

In accordance with the provisions of N.J.A.C. 1:30-4.2, the Division will subsequently mail to the petitioner and file with the Office of Administrative Law a notice of action on the petition.