



STATE OF NEW JERSEY

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
P.O. BOX 087
TRENTON, NJ 08625-0087
PHONE: (609) 984-2830 FAX: (609) 633-6078
WWW.NJ.GOV/OAG/ABC

PHILIP D. MURPHY
Governor

MATTHEW J. PLATKIN
Attorney General

SHEILA Y. OLIVER
Lt. Governor

JAMES B. GRAZIANO
Director

May 08, 2023

REQUEST FOR COMMENT ON ABC'S PROPOSED PRESCRIBED TEMPLATE FOR CURRENT PRICE LIST ("CPL") FILINGS

In a 2013 Industry Notice, the Division of Alcoholic Beverage Control (the "Division") encouraged all wholesale licensees and permittees privileged to sell alcoholic beverages to retailers to file their Current Price Lists ("CPL") electronically. See March 4, 2013 Notice to All New Jersey Licensed Wholesalers Concerning Current Price List Filing Requirements¹. However, the Director did not prescribe a specific format for the filing at that time. CPL filings varied in format from licensee to licensee. It is the Division's intention for the prescribed template to include the information required in the regulation presented in a user-friendly manner.

The Division, pursuant to the authority in N.J.A.C. 13:2-24.6(a)(3), determined a uniform CPL template should be prescribed. Such a prescribed format will allow the Division to verify that all required information submitted is accurate and accessible to those in the industry that use CPL filings for their ordering decisions. Moreover, a uniform, validated CPL submission will enable the Division to enforce the Alcoholic Beverage Control Act and prevent discrimination in the marketplace. Once launched, the uniform template will be the only format for CPL filings that the Division will accept through its on-line licensing system known as POSSE.

¹ https://www.nj.gov/lps/abc/downloads/Notice-NJ-Licensed-Wholesalers%20_CPL.pdf



The Division designed this uniform template for use in CPL filings with extensive input from a pilot group of large and small wine and spirits wholesalers, beer wholesalers, and manufacturers with self-distribution wholesale privileges. However, before making the uniform template the Division's prescribed format, the Division welcomes comments from the regulated community at large. A copy of the proposed prescribed format is available at [NJABC eCPL Template 2023](#).

Interested persons may submit written comments on the topics described below, or any other CPL-related topics, to the Division by **June 5, 2023**. Comments may be submitted electronically to DAG Andrew Sapolnick at andrew.sapolnick@njoag.gov. The prescribed template includes the following:

- A distinct “Beer Mix & Match” tab to list “mix and match” offerings for beer. This will be separate from the tab historically used to list combination offerings for wine and spirits. Specifically, the Division seeks comment on whether Column G on the Beer Mix & Match tab is needed, given that the price of a “Beer Mix & Match Pack” changes depending on the quantity of products purchased.
- Beer wholesalers traditionally offer “rolling keg discounts” or “quantity discounts.” Despite use of the word “discount,” this is in practice a “rebate” as defined by N.J.A.C. 13:2-24.1(b)(2), since the wholesaler adjusts the purchase price after a retailer has purchased a specified number of units during the course of the month. These listings will be required to be listed on the renamed “RIP & Rebate” tab (formerly “RIP” tab).
- RIP tab columns will be limited in the number of horizontal columns that can be used in a filing. There is no limit on the number of RIPs that can be listed as additional



listings in the vertical columns.

- All products in a combination listing on the “Combo” tab must be individually identified along with each product’s cost as part of the combination offering. The cost listed therein will be considered the retailer’s “cost” as defined by N.J.A.C. 13:2-24.8(b) in determining a sale below cost (a practice that is prohibited).
- Product Brand Registration numbers and information will be available to authorized wholesalers on POSSE once use of the template is fully implemented.
- UPC Codes unique for all products listed in the CPL must be included in the filing. If a product does not have a UPC Code or alternative product identification code, please refer to instructions in AN 2022-03 on how to obtain a Division-generated “product code.”

Following consideration of comments received, the Division will issue a Notice to Industry announcing the prescribed format for the uniform CPL template. The Division intends to finalize the template and make it available on **July 5, 2023**. Licensed wholesalers and manufacturers privileged and intending to sell alcoholic beverages to retailers are encouraged to begin using the uniform template immediately for testing purposes. The prescribed uniform template will be required beginning with the October 2023 CPL filing, which is due on **September 15, 2023**.

Any questions or comments on this Request for Comment may be directed to DAG Andrew Sapolnick at andrew.sapolnick@njoag.gov.

James B. Graziano, Director
Division of Alcoholic Beverage Control

