



**STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT**

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**To:** Maine Liquor License Holders  
**Re:** Trade Practices Rulemaking  
**Date:** April 10, 2026

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The purpose of this memo is to provide additional clarity on recent changes affecting trade practice regulations under 28-A M.R.S. § 707 and 18-553 C.M.R. Chapters 104 and 107. This document is non-binding. In the event of a conflict, the relevant statutes and administrative rules take precedence over this guidance.

### **Concepts**

- **Three-tier system**  
Alcohol is sold through three separate “tiers”: manufacturers, wholesalers, and retailers. In general, retailers buy from wholesalers, and consumers buy from retailers.
- **Inducement**  
When a manufacturer or wholesaler gives something to a retailer to influence what the retailer buys or sells.
- **Exclusion**  
When an inducement causes a retailer to favor one product over another, limiting another manufacturer or wholesaler’s ability to compete. This is prohibited under state and federal law.
- **Things of value**  
Anything given to a retailer that has value, such as items, services, or financial benefits.

### **Overview**

Maine’s alcoholic beverage trade practice regulations are intended to prevent manufacturers and wholesalers from exerting undue influence over the marketplace through inducements or other practices that undermine competition. Historically, this framework has been highly restrictive. Recent changes are intended to modernize the rules to preserve fair competition while providing greater flexibility for industry members and keeping license holders compliant with federal law.

## **The Law**

A manufacturer or wholesaler may provide a retailer with things of value up to \$750 per year.

Items that count toward the cap include permanent items the retailer would otherwise purchase, such as signs, furniture, or product displays. Items that do not count toward the cap are low-value, temporary promotional items used for advertising, such as apparel, keychains, or coasters.

Cash, gift cards, or anything for the personal benefit of a retailer or their employees is prohibited.

Manufacturers and wholesalers must provide records of items subject to the cap, and retailers must keep those records available for inspection.

## **Implementation**

The Bureau is available to answer any questions you may have. We have an education-first approach and are always here to assist. E-mail [alcohol@maine.gov](mailto:alcohol@maine.gov) or call (207) 624-7220 to get connected with your local inspector.