



SHELF RESET, DIAGRAMMING, OR PLANNING REQUEST FORM

Instructions: West Virginia Alcohol Beverage Control Administration (WVABCA) licensed retail locations wishing to conduct a shelf reset, diagramming, or planning must complete and submit this form for approval from and by the WVABCA Commissioner prior to the event.

Submit completed form to: **WVABCA**
900 Pennsylvania Ave., 4th Floor
Charleston, WV 25302
Attn: Beer Division

or via email to: **abca.beer@wv.gov**

Per 176 CSR 1 - 6.3.d.5.

- ◆ A retailer must make an independent request to all its beer distributors to initiate the reset prior to participation by the distributor.
- ◆ Shelf reset, diagramming, or planning must be approved by the WVABCA Commissioner.
- ◆ Shelf reset or planning event may not exceed (4) four per year, per retailer.
- ◆ A distributor is not required to participate in any shelf reset, diagramming, or planning.
- ◆ If a distributor chooses to participate in a licensed retailer's shelf reset, diagramming, or planning, then the distributor must participate in any licensed retailer's requested shelf reset, diagramming, or planning up to the prescribed limit.

***Note - Every distributor must be offered the opportunity to participate in the proposed shelf reset, diagramming, or planning.**

Diagramming and planning must be conducted in accordance with the federal exception. Per federal requirements, industry members are permitted to furnish these items to retailers but may only recommend product placement on the retailer's shelves. Further, a retailer should receive such diagrams and plans from multiple sources, which would be a tool to provide multiple options to the retailer. Ultimately, it is the retailer's final decision on product placement. Any additional services provided by the distributor would constitute "things of value," and considered an inducement.

Name of WVABCA Licensed Retailer Conducting Reset: _____

WVABCA Retailer Conducting Reset License Number: _____

Physical Address: _____

WV County: _____ Date of Reset: _____ Retailer's reset number (circle one): 1, 2, 3, or 4

Retailer Signature/Title _____ **Date** _____

Disclaimer: WVABCA approval provides no safe harbor that the shelf reset, diagramming, or planning meets federal and TTB requirements, consult with your own counsel, and/or the TTB, as to whether a reset, diagramming, or planning would be permissible per federal and TTB code, rules and regulations.

THIS BOX FOR WVABCA USE ONLY

Approved/Denied _____ **Date** _____

(WVABCA Commissioner)