

---

**TITLE 4 ALCOHOLIC BEVERAGES AND MARIJUANA  
DELAWARE ADMINISTRATIVE CODE**

---

1

**DEPARTMENT OF STATE  
OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER  
1400 Tastings and Samples**

**Rule 1403 (Formerly Rule 16) A Regulation Concerning the Solicitation of Orders for Alcoholic Liquors in the State of Delaware, the Transportation of Samples, and Standards for Providing for the Issuance of Permits in Connection Therewith**

**1.0 Solicitation, Transportation, and Permits**

- 1.1 No person shall solicit orders for alcoholic liquors or transport samples thereof unless such person has in their possession a permit issued to them by the Commissioner. Such permit shall be issued by the Commissioner: (1) upon the request of any licensed manufacturer or Importer; and (2) upon proof that the person to be licensed is employed or sponsored by said manufacturer or Importer; and (3) upon receipt by the Commissioner of an affidavit in the following form executed by the person to be licensed:

STATE OF:

: SS.

COUNTY OF:

I, the undersigned, having been first duly sworn according to law, depose and say as follows:

- (1) I desire to secure a license from the Delaware Alcoholic Beverage Control Commissioner under the provisions of Rule 16, and I make this affidavit for that purpose.
- (2) I am employed or sponsored by
- (3) I am familiar with the laws and Commissioner rules governing the sale and distribution of alcoholic liquors in the State of Delaware, particularly those pertaining to the method of handling samples, prohibiting the offering of inducements in any form, prohibiting tie-in sales, and those concerning credit regulations.
- (4) I will not in anyway violate such laws or rules.
- (5) I (have-have not) been convicted of a felony a sex offense, a gambling offense, or a law concerning alcoholic beverages. (If answer is in affirmative, attach arrest record.)

\_\_\_\_\_  
(Signature of Applicant)

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

- 1.2 A license issued by the Commissioner shall be signed, by the person to whom it is issued. Each license shall be valid, unless revoked by the Commissioner, as long as the license holder remains sponsored or employed by the licensed manufacturer or Importer.
- 1.3 A license may be refused or revoked for cause as set forth above by the Commissioner at any time after a hearing and due notice to the salesman. The salesman shall have the right to be represented by counsel, subpoena witnesses in their behalf, and otherwise offer a defense. The refusal or revocation by the Commissioner shall be in writing and shall state the grounds and reasons therefor. Any person holding a license shall surrender the same to the Commissioner forthwith upon the termination of their employment or sponsorship by a manufacturer or Importer. The employer or sponsor shall notify the Commissioner within two days after termination of the employment or sponsorship of any person holding a license under this rule, or of the arrest of such person for a felony, sex offense, gambling offense, or law concerning alcoholic beverages.