

**TERRANCE  SMITH**  
DISTRIBUTING, INC.

Date: June 25, 2021  
To: Terrance A. Smith Distributing Retail Partners  
From: Terrance A. Smith, President  
Subject: ATC Advisory Opinion 21-01

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The Indiana Alcohol & Tobacco Commission recently released “Advisory Opinion 21-01: Allowable Returns to Beer Wholesalers.” This opinion addressed four questions, each related to whether reimbursements or replacements for product returns to beer wholesalers are permissible according to state and federal law.

Advisory Opinion 21-01 contains the background on questions presented, and provides guidance as to what is and is not permissible under state and/or federal law.

Indiana beer wholesalers may no longer pick up damaged product for credit or reimbursement. Any product damaged by a distributor employee before or on delivery, should be removed from the invoice and returned with the driver. Products damaged in any way and/or having their original packaging altered or opened, may not be returnable for reimbursement or credit.

We look forward to continuing to be a valuable wholesaler-partner. If you have additional questions about the advisory opinion or would like to speak with someone at the Indiana Alcohol Tobacco Commission, please call (317) 232-2469.

*For more information on Advisory Opinion 21-01, please visit [www.in.gov/atc/alcohol-resources](http://www.in.gov/atc/alcohol-resources).*