

§1455. Notice of intent to terminate

1. Written notices. Before any termination procedure initiated by the certificate of approval holder, the certificate of approval holder shall give the wholesale licensee a written notice of any claimed deficiency existing in the wholesale licensee's territory and the certificate of approval holder shall give the wholesale licensee reasonable time or, if the certificate of approval holder is a small beer manufacturer or a small hard cider manufacturer, at least 30 days to correct the claimed deficiency or deficiencies. After this time has elapsed, the certificate of approval holder shall provide the wholesale licensee with a written notice of the certificate of approval holder's intent to amend, cancel, terminate, refuse to continue, refuse to renew or cause the wholesale licensee to resign from an agreement at least 90 days prior to the effective date of the intended amendment, cancellation, termination, refusal to continue, refusal to renew or causing of resignation. The written notice must state all of the reasons for the intended amendment, cancellation, termination, refusal to continue, refusal to renew or causing of resignation. The notice provisions of this section do not apply if the reason for the intended amendment, cancellation, termination, refusal to continue, refusal to renew or causing of resignation is:

- A. The bankruptcy or insolvency of the wholesale licensee; [PL 1987, c. 45, Pt. A, §4 (NEW).]
- B. An assignment for the benefit of creditors or similar disposition of the assets of the wholesale licensee's business; [PL 1987, c. 45, Pt. A, §4 (NEW).]
- C. Revocation of the wholesale licensee's license; or [PL 1987, c. 45, Pt. A, §4 (NEW).]
- D. Conviction or a plea of guilty or no contest to a charge of violating a law relating to the business that materially affects the wholesale licensee's ability to remain in business. [PL 1987, c. 45, Pt. A, §4 (NEW).]

For purposes of this section, "small beer manufacturer" and "small hard cider manufacturer" have the same meanings as in section 1457, subsection 1-A.

[PL 2021, c. 658, §258 (AMD).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 2019, c. 529, §8 (AMD). PL 2021, c. 658, §258 (AMD).

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