



STATE OF
INDIANA

ALCOHOL AND TOBACCO
COMMISSION

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Notice Regarding Manufacturers Sponsoring College Athletics

The Indiana Alcohol and Tobacco Commission (ATC) recently received multiple requests for information on manufacturers sponsoring college athletics including co-branding beverages, cooperative advertising, and sponsorships at stadiums or facilities.

The ATC cannot speak to specific agreements as we are not a party and have not reviewed individual contracts. Before executing such an agreement parties should first determine:

1. Whether the manufacturer is a primary source of supply registered in Indiana, or an Indiana permitted manufacturer; and
2. Whether the university holds a permit to retail alcoholic beverages.

Once those determinations have been made, parties to such an agreement should review all relevant statutes and rules, including:

- 905 IAC 1-5.1: Prohibited Activity Between Primary Sources of Supply, Wholesalers, and Retailers
- 905 IAC 1-5.2: Permissible Activity Between Primary Sources of Supply, Wholesalers, and Retailers
- 905 IAC 1-38 et seq: Prohibited Advertising
- Ind. Code 7.1-2-3-16.5: Advertising of alcoholic beverages
- Ind. Code 7.1-5-9: Prohibited Interests
- Ind. Code 7.1-1-2-5: Direct prohibitions include indirect prohibitions
- Ind. Code 7.1-5-5-10: Acceptance of gift from manufacturer prohibited
- Ind. Code 7.1-5-5-11: Gifts to retail permittees prohibited
- Ind. Code 7.1-5-5-12: Amateur athletics; soliciting assistance prohibited

Thank you for your diligence and partnership on this important matter.