

GOVERNMENT OF THE REPUBLIC OF LITHUANIA

RESOLUTION No. 559

On Licensing the Importation of, Wholesale and Retail Trade
in Alcoholic Products

Vilnius, 5 June 1997

Following the Law of the Republic of Lithuania on Alcohol Control (Records No. 44-1073, No. 61-1527; 1996, No. 8-195, No. 53-1247; 1997, No. 33-809), the Government of the Republic of Lithuania resolves:

1. To approve the attached:

1.1. Rules of Licensing the Importation of, Wholesale and Retail Trade in Alcoholic Products;

1.2. Rules of Retail Trade in Alcoholic Beverages at Trading and Public Catering Enterprises.

2. To oblige:

2.1. The State Agency of Tobacco and Alcohol Control under the Government of the Republic of Lithuania (hereafter referred to as the State Agency of Tobacco and Alcohol Control):

2.1.1. to issue and re-register licences to import alcoholic beverages into the Republic of Lithuania, to engage in wholesale trade of alcoholic beverages produced in the Republic of Lithuania, as well as issue single permits to import alcoholic beverages for exhibitions, diplomatic functions and representation events held in the Republic of Lithuania.

Licences to import alcoholic beverages shall be issued upon co-ordinating this issue with the Ministry of National Economy, Ministry of Health Care, Ministry of the Interior, Ministry of Finance and the Department of State Security, and licences to import non-denaturated ethyl alcohol and raw materials containing ethyl alcohol shall be issued upon co-ordinating this issue with the Ministry of Agriculture and Forestry.

Licences to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania shall be issued upon co-ordinating this issue with the Ministry of National Economy, Ministry of Health Care and the Ministry of the Interior;

2.1.2. to prepare by 1 August 1997 and submit to the Government of the Republic of Lithuania for its approval the amount of alcoholic beverages assigned to diplomatic missions of foreign countries, supplies on board of vessels and aircraft permitted to be imported into the Republic of Lithuania according to the groups of alcoholic beverages;

2.1.3. in co-operation with the Lithuanian State Quality Inspectorate at the State Competition and the Consumer Protection Office to prepare and approve qualification requirements for manufacturing staff of the Laboratory of Quality Control of Alcoholic Beverages,

2.2. City (District) Mayors (Councils) to issue and re-register licences to enterprises to engage in retail trade in alcoholic beverages.

3. To establish that:

3.1. Special Purpose Joint-Stock Company "Stumbras", Joint-Stock Companies "Vilniaus degtinė", "Alita" and "Anykšėi, vynas" in selling alcoholic beverages to enterprises which have licences to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania and engage in retail trade in alcoholic beverages

shall demand that these enterprises should present either the guarantee by a bank or the insurer or pledge real property. The market value of real property and the amount of the guarantee should not be lower than the value of alcoholic beverages being sold. These provisions shall not be applicable if a buyer pays for alcoholic beverages in advance.

Accounts for the production shall be settled within 15 calendar days from selling date.

Special Purpose Joint-Stock Company “Stumbras”, Joint-Stock Companies “Vilniaus degtinė”, “Alita” and “Anykščių vynas” must immediately terminate the supply of their production to enterprises which failed to settle accounts with them in due time and inform the State Agency of Tobacco and Alcohol Control as well as local authorities about their debt within 5 calendar days.

General Directors of the said joint-stock companies are personally responsible for fulfilling these requirements;

3.2. State Tax Inspectorates of cities (districts), in each case of failure to pay the established taxes to the state and municipal budgets of the Republic of Lithuania, and state social insurance companies, in each case of failure to pay the established taxes to the budget of the social insurance fund, shall inform the state Agency of Tobacco and Alcohol Control as well as local authorities about the debts of the enterprises (holding licences to import alcoholic beverages, engage in wholesale or retail trade in alcoholic beverages);

3.3. The State Agency of Tobacco and Alcohol Control and City (District) Mayors (Councils) shall make decisions on the invalidation of licences on the basis of the information laid down in paragraphs 3.1 and 3.2. of the present Resolution and the provisions of paragraphs 40 and 43 of the Rules of the Licensing importation of Wholesale and Retail Trade in Alcoholic Products approved by this Resolution;

3.4. The importation of alcoholic beverages to be used for exhibitions and representation events held in the Republic of Lithuania are permitted only on holding a single permit issued by the State Agency of Tobacco and Alcohol Control.

A specific procedure of issuing such permits shall be established by the State Agency of Tobacco and Alcohol Control;

3.5. the import of undenaturated ethyl alcohol and raw materials containing ethyl alcohol is permitted exclusively for production purposes without the right to sell them to other economic entities;

3.6. only enterprises holding licences to import alcoholic products are permitted to engage in their wholesale trade.

4. To permit retail trade in alcoholic-based food solutions containing flavour additives without licences if these solutions are packed in disposable not larger than 20 grams capacity.

5. To establish that retail trade in the Republic of Lithuania is prohibited in:

5.1. alcohol-based food solutions containing flavour additives packed in containers larger than 20 grams capacity;

5.2. undenaturated, denaturated, technical ethyl alcohol and alcohol-based non-food solutions containing flavour additives (except selling undenaturated ethyl alcohol for medicinal purposes at chemist's shops in the procedure established by the Ministry of Health Care).

6. To establish that:

6.1. before this Resolution comes into force licences issued to enterprises to engage in wholesale trade in wine produced in the Republic of Lithuania (not more than 22% volume concentration of ethyl alcohol) and beer, as well as licences to engage in retail trade in wine (not more than 22% volume concentration of ethyl alcohol) and beer, shall be valid till the expiration term indicated therein;

6.2. licences to engage in wholesale or retail trade in wine (not more than 22% volume concentration of ethyl alcohol) and the remainder of beer shall be issued to enterprises holding licences to import wine (not more than 22% volume concentration of ethyl alcohol) and beer issued before this Resolution comes into force, licences to engage

in wholesale trade in wine produced in the Republic of Lithuania (not more than 22% volume concentration of ethyl alcohol) and beer or licences to engage in retail trade in wine (not more than 22% volume concentration of ethyl alcohol) and beer and which terminated this activity upon the expiration date of licences.

7. To acknowledge as invalid:

7.1. Resolution No. 1397 of the Government of the Republic of Lithuania “On Confirming the Order Stimulating the Establishment of Violations of Law of the Republic of Lithuania on Alcohol Control” adopted on 30 October 1995 (Records No. 91-2042, 1995);

7.2. Resolution No. 1459 of the Government of the Republic of Lithuania “On Licensing Import of Alcoholic Products, Their Wholesale and Retail Trade” adopted on 17 November 1995 by the Government of the Republic of Lithuania (Records No. 95-2133, 1995; No. 69-1670, 1996);

7.3. Resolution No. 285 of the Republic of Lithuania “On Obtaining the Right to Import Alcoholic Beverages into the Republic of Lithuania and the Right to Engage in Wholesale Trade in Alcoholic Beverages Produced in the Republic of Lithuania by Way of a Public Tender” adopted on 27 February 1996 by the Government of the Republic of Lithuania (Records No. 20-529, 1996);

7.4. Resolution No. 662 of the Government of the Republic of Lithuania of 6 June 1996 “On Partial Amendment to Resolution No. 285 “On Obtaining the Right to Import Alcoholic Beverages into the Republic of Lithuania and the Right to Engage in Wholesale Trade in Alcoholic Beverages Produced in the Republic of Lithuania by Way of a Public Tender” adopted on 27 February 1996 by the Government of the Republic of Lithuania” (Records No. 55-1302, 1996);

7.5. Resolution No. 846 of the Government of the Republic of Lithuania adopted on 17 July 1996 “On Partial Amendment to Resolution No. 1459 of the Government of the Republic of Lithuania “On Licensing Import of Alcoholic Products, Their Wholesale and Retail Trade” adopted on 17 November 1995 (Records No. 69-1670, 1996);

7.6. Article 2 of Resolution No. 325 of the Government of the Republic of Lithuania “On Partial Amendment to Resolution No. 734 of 21 June of the Government of the Republic of Lithuania “On Granting the Right to Import Alcoholic Beverages into the Republic of Lithuania” adopted on 7 April 1997 (Records No. 31-767, 1997).

Prime Minister

Gediminas Vagnorius

Minister of Economy

Vincas Babilius

APPROVED

by Resolution No. 559
of 5 June 1997
of the Government of
the Republic of Lithuania

Regulations on Licensing the Importation of, Wholesale and Retail Trade
in Alcoholic Products

Licensed activity

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1. These Regulations establish the activity related to the importation of alcoholic products for home consumption (hereafter referred to as importation), wholesale and retail trade in these products.

Alcoholic products are as follows: alcoholic beverages (according to the EEC Combined Nomenclature of Goods - 2203, 2204 - 2208, except 220430, 2207, 22082040), undenaturated ethyl alcohol (code numbers according to the EEC Combined Nomenclature of Goods - 220710, 22089099), denaturated ethyl alcohol (code number according to the EEC Combined Nomenclature of Goods - 220720), technical ethyl alcohol (code number according to the EEC Combined Nomenclature of Goods - 220710), ingredients, i.e. alcohol-based food solutions containing flavourings (code numbers according to the EEC Combined Nomenclature of Goods - 21039030, 21069020, 33021010) and alcohol-based non-food solutions containing flavourings (code number according to the EEC Combined Nomenclature of Goods - 33029010), raw materials (code numbers according to the EEC Combined Nomenclature of Goods -

220429, 220430, 220590, 22060081, 22060089, 22082040, 22082062, 22082064, 22082086, 22082087, 22082089, 22083019, 22083038, 22083058, 22083078, 22083088, 22084090, 22085019, 22085099, 22086019, 22086099, 22087090, 22089019, 22089038, 22089071 - 22089078).

2. Only enterprises holding licences of the standard form shall be permitted to import alcoholic products into the Republic of Lithuania and to engage in wholesale or retail trade in these products.

Types of licences

3. Types of licences related to the importation of, wholesale or retail trade in alcoholic products are as follows:

3.1. to import vodka and other alcoholic beverages;

3.2. to import alcoholic beverages (except vodka);

3.3. to import wine (not more than 22% volume concentration of ethyl alcohol) as well as beer;

3.4. to import beer;

3.5. to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania;

3.6. to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania (not more than 22% volume concentration of ethyl alcohol);

3.7. to engage in wholesale trade in beer produced in the Republic of Lithuania;

3.8. to engage in retail trade in alcoholic beverages;

3.9. to engage in retail trade in alcoholic beverages (not more than 22% volume concentration of ethyl alcohol);

3. 0. to engage in retail trade in beer;

3.11. to engage in retail trade in alcoholic beverages in duty free shops;

3.12. to engage in retail trade in alcoholic beverages (not more than 22% volume concentration of ethyl alcohol) during the holiday season;

3.13. single permits - to engage in retail trade in alcoholic beverages (not more than 22% volume concentration of ethyl alcohol) during mass events and exhibitions;

3.14. to engage in wholesale trade in the remainder of imported alcoholic drinks;

3.15. to engage in wholesale trade in imported wine (not more than 22% volume concentration of ethyl alcohol) and the remainder of beer;

3.16. to engage in wholesale trade in the remainder of imported beer;

3.17. to engage in wholesale trade in the remainder of alcoholic beverages produced in the Republic of Lithuania;

3.18. to engage in wholesale trade of alcoholic beverages produced in the Republic of Lithuania (not more than 22% volume concentration of ethyl alcohol);

3.19. to engage in wholesale trade in wine produced in the Republic of Lithuania (not more than 22% volume concentration of ethyl alcohol) and the remainder of beer;

3.20. to engage in wholesale trade in the remainder of beer produced in the Republic of Lithuania;

3.21. to engage in retail trade in the remainder of alcoholic beverages;

3.22. to engage in retail trade in the remainder of alcoholic beverages (not more than 22% volume concentration of ethyl alcohol);

3.23. to engage in retail trade in wine (not more than 22% volume concentration of ethyl alcohol) and the remainder of beer;

3.24. to engage in retail trade in the remainder of beer.

4. Types of licences related to the import of alcoholic products (except alcoholic beverages):

4.1. to import undenaturated ethyl alcohol;

4.2. to import denaturated ethyl alcohol;

4.3. to import technical ethyl alcohol;

4.4. to import raw materials containing ethyl alcohol;

4.5. to import alcohol-based non-food solutions containing flavour additives;

4.6. to import alcohol-based food solutions containing flavour additives.

Issuance of licences

5. Licences to import alcoholic products, engage in wholesale trade in alcoholic beverages shall be issued to all types of enterprises registered in the Republic of Lithuania the registration certificates or Statutes of which provide for purchase or sale activities abroad, wholesale trade, production.

6. Licences to engage in retail trade in alcoholic beverages shall be issued to all types of stationary trading enterprises registered in the Republic of Lithuania and established to carry out exclusively this kind of trade, as well as to trading enterprises with specialised outlets (in country shops - a separate shelf), to public catering enterprises, and licences to engage in retail trade exclusively in beer shall be issued to the above indicated enterprises, as well as to enterprises which wish to carry out trade in kiosks in case their Statutes and registration certificates provide for retail trade.

Licences to engage in retail trade in alcoholic beverages in duty free shops shall be issued to enterprises holding licences to establish duty free shops.

7. If an enterprise importing alcoholic products engages in their wholesale trade in several of its outlets (warehouses, branches, etc.), it shall be issued one licence containing the addresses of the outlets.

In case the enterprise engages in wholesale trade in alcoholic beverages produced in the Republic of Lithuania at several of its warehouses located in the same city (district) it shall be issued one licence containing the addresses of the warehouses. If the enterprise engages in this activity in outlets located in other cities (districts) and having one or several warehouses, it shall be issued licences to engage in this activity at each outlet and their addresses shall be entered in the licences.

In case the enterprise engages in retail trade in alcoholic beverages at several of its outlets established in the same or different premises (specialised shops, specialised sections, restaurants, cafes, buffets, including closed ones, bars, etc.) which serve customers or supply alcoholic beverages to waiters, it shall be issued licences to engage in this activity at every outlet. If several outlets engaged in the same activity (retail trade or public catering) are established in one hall of the trading enterprise or public catering enterprise which sell alcoholic beverages, one licence shall be issued. If several outlets are established in one hall of the trade enterprise or public catering enterprise which carry out retail trade and public catering trade, licences for each type of activity shall be issued. One licence shall be issued to enterprises established in theaters where customers are served during performances or other events only, without indicating the outlets (bars, buffets, etc.).

8. Licences to import alcoholic beverages, engage in their wholesale and retail trade shall be issued and re-registered in the following procedure:

8.1. licences to import alcoholic beverages and licences to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania shall be issued and re-registered by the State Tobacco and Alcohol Control Agency.

Licences to import alcoholic beverages shall be issued upon co-ordinating the issuance with the Ministry of National Economy, the Ministry of Health Care, the Ministry of the Interior, the Ministry of Finance and the State Security Department. Licences to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania shall be issued upon co-ordinating them with the Ministry of National Economy, the Ministry of Health Care and the Ministry of the Interior. Disputes and debatable questions shall be settled by the Government of the Republic of Lithuania.

Licences to engage in wholesale trade in imported alcoholic beverages and the remainder of alcoholic beverages produced in the Republic of Lithuania shall be issued by the State Agency of Tobacco and Alcohol Control. These licences shall be issued to enterprises which, upon the expiry date of the previous licence to import these beverages or engage in their wholesale trade, terminate this activity.

8.2. Licences to engage in retail trade in alcoholic beverages and licences to engage in retail trade in the remainder of alcoholic beverages shall be issued and reregistered by the City (District) Mayor (Councils).

The City (District) Mayor (Councils), taking into account the requirements of the Law of the Republic of Lithuania on Alcohol Control and the requirements of these Rules, shall establish a specific procedure of issuance and re-registration of licences and announce it through the mass media. He shall also determine the duration of the holiday season depending on the specificity of the location.

Single permits to engage in retail trade in alcoholic beverages (not more than 12% volume concentration of ethyl alcohol) in mass events and exhibitions shall be issued solely to enterprises holding licences to engage in retail trade in alcoholic beverages of a certain kind or group.

Licences to engage in retail trade in alcoholic beverages for trading and public catering enterprises located in apartment houses shall be issued only in those cases if the main entrance for customers overlooks the street and is not used by the residents of the apartment house.

Licences to engage in retail trade in alcoholic beverages shall not be issued to trading and public catering enterprises with the entrance into apartment houses or other premises not related to organising trade in goods or their storage. This requirement shall not be applicable to issuing licences to engage in retail trade in alcoholic beverages in duty free shops.

Licences to engage in retail trade in alcoholic beverages shall not be issued to trading and public catering enterprises which are established in warehouses of wholesale trading enterprises and importers' warehouses from which wholesale trade in alcoholic beverages is conducted.

Licences to engage in retail trade in beer bottled by breweries shall not be issued to kiosks, established in warehouses of wholesale enterprises and importers' warehouses from which wholesale trade in alcoholic beverages is conducted;

8.3. Licences to engage in wholesale or retail trade in the remainder of alcoholic beverages shall be issued to enterprises holding licences to import alcoholic beverages, engage in their wholesale or retail trade and which, upon the expiry date of their licences, terminated this activity;

8.4. the enterprise wishing to obtain a licence to import alcoholic beverages submits the below presented documents to the State Agency of Tobacco and Alcohol Control:

8.4.1. a justified application indicating the following information: the name of the enterprise, its code, address, telephone number, names and surnames, addresses of the founders of the enterprise, managers, shareholders possessing shares the nominal value of which exceeds 1/10 of the authorised capital, the name of the commercial-economic activity for the licence of which the enterprise is applying, also, the names of the countries and companies from which the enterprise intends to import alcoholic beverages as well as the names of groups of alcoholic beverages to be imported and the addresses of warehouses from which the wholesale trade shall be conducted;

8.4.2. copie of the enterprise's Articles of Association, its registration certificate and the Statute (excluding enterprises functioning without the Statute) certified by a notary public;

8.4.3. the approval of the City (District) Mayor (Councils) in which the enterprise is registered. If the enterprise has branches (subsidiaries, warehouses) which engage in wholesale trade in the enterprise's imported alcoholic beverages in other cities (regions), approvals of Mayors of those cities (Councils) shall be submitted;

8.4.4. the State Tax Inspectorate certificate of the city (district) in which the enterprise is registered, confirming that the enterprise declared income in time and paid taxes due within the last three months as well as that no cases of deceitful accounting have been detected;

8.4.5. the certificate of the Customs, situated in the trade zone in which the enterprise has been registered, on the implementation of commitments to the Customs and payment of duties;

8.4.6. the certificate of the State Social Insurance Office confirming the taxes paid;

8.4.7. the authorisations (in the original language) issued by foreign enterprises (firms) producing alcoholic beverages to represent their (sell their production), together with their translations into Lithuanian;

8.4.8. a certificate (in the original language) issued by the Register or a foreign enterprise (firm) which produces alcoholic beverages testifying that the enterprise-producer supplying alcoholic beverages has been registered in that country (the nature of the enterprise's activity shall be entered in the certificate) together with its translation into Lithuanian;

8.4.9 samples of labels or catalogues of the beverages planned to be imported;

8.4.10. the original of a quality certificate (for each name of alcoholic beverages separately) issued by a foreign enterprise (firm) producing alcoholic beverages;

8.4.11. a certificate issued by a foreign enterprise (firm) producing alcoholic beverages certifying that retail trade in alcoholic beverages (except beer) planned to be imported into the Republic of Lithuania is permitted in that country. The certificate must be certified by the institution regulating trade in that country.

8.4.12. copies of lease agreements of warehouses certified by a notary public (if premises are hired);

8.4.13. a remittance with the bank seals or receipt confirming the stamp tax of a fixed amount paid (submitted after the decision to issue the licence has been adopted);

8.5. the enterprise wishing to obtain a licence to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania shall submit to the State Agency of Tobacco and Alcohol Control the documents presented below:

8.5.1. a justified application which shall indicate the following: the name of the enterprise, its code, address, telephone number, the names, surnames, addresses of founders of the enterprise, the name of the commercial-economic activity for the licence of which the enterprise is applying, the addresses of the warehouses from which wholesale trade shall be conducted;

8.5.2. copies of the enterprise's Articles of Association, its registration certificate and the Statute (excluding enterprises functioning without Statutes) certified by a notary public;

8.5.3. the approval of the City (District) Mayor (Councils) in which the enterprise is registered. If the enterprise has branches (subsidiaries, warehouses) which engage in wholesale trade in alcoholic beverages in other cities (districts), approvals of Mayors of those cities (Councils) shall be submitted;

8.5.4. a certificate of the State Tax Inspectorate of the city (district) in which the enterprise is registered testifying that the enterprise declared income in time and paid taxes due with in the last three years as well as that no cases of deceitful accounting have been detected.

8.5.5. a certificate of the State Social Insurance Office about payment of duties;

8.5.6. certificates of Special Purpose Joint-Stock Company "Stumbras" and Joint-Stock Companies "Vilniaus degtinė", "Alita", "Anykšėi, vynos" certifying that the enterprise has no overdue debts for the supplied alcoholic drinks (this regulation shall not be applicable to enterprises wishing to obtain licences to engage in wholesale trade in beer);

8.5.7. copies of lease agreements of warehouses rent certified by a notary public in case they are rented;

8.5.8. a remittance with bank seals or receipt confirming the stamp tax paid (shall be submitted after the decision to issue the licence has been adopted);

8.6. the enterprise wishing to obtain a licence to engage in retail trade in alcoholic beverages shall submit to the City (District) Mayor (Councils) the documents indicated below:

8.6.1. a justified application which shall indicate the following: the name of the enterprise, its code, address, telephone number, the names, surnames, addresses of the founders of the enterprise, the description of the commercial-economic activity for the licence of which the enterprise is applying, location and time of selling alcoholic beverages, etc.;

8.6.2. copies of the enterprise's Articles of Association, its registration certificate and the Statute (excluding enterprises functioning without the Statute) certified by a notary public;

8.6.3. a certificate of the State Tax Inspectorate of the city (district) in which the enterprise is registered certifying that income was declared in a due course and taxes due with in the last three years were paid, as well as that no cases of deceitful accounting have been detected;

8.6.4. a certificate of the State Social Insurance Office about the payment of duties;

8.6.5. the agreement from the Police Commissariat in the city (district) the enterprise is registered in;

8.6.6. the agreement of the Public Health Centre of the city (district) the enterprise is registered in;

8.6.7. the agreement of the Board meeting of the Association of Multifamily Apartment House Owners or (in case such an Association has not been established), the agreement of the majority of the apartment owners of the multifamily apartment house as well as the agreement of the tenants in non-privatised flats, if the enterprise is located in a multi-family apartment house and earlier did not hold a licence to engage in retail trade in alcoholic beverages. If during the time of the licence validity, the tenants of a multi-family apartment house lodged complaints, this agreement shall also be submitted in re-registering the licence to engage in this activity;

8.6.8. the certificate of the Customs in the zone of which activity the enterprise is registered certifying that commitments to the Customs are being fulfilled and duties paid (shall be submitted by enterprises wishing to obtain a licence to engage in retail trade in alcoholic beverages in duty free shops);

8.6.9. a remittance with bank seals or receipt confirming the stamp tax paid (shall be submitted after the decision to issue the licence has been adopted);

8.6.10. other additional documents indicated in the procedure of issuance of licences confirmed by the City (District) Mayor (Councils);

8.7. the enterprise wishing to obtain the licence to engage in wholesale or retail trade in the remainder of alcoholic beverages shall submit to the licence issuing institution the following documents:

8.7.1. an application which shall include: the name of the enterprise, its code, address, telephone number, the name of the commercial-economic activity for the licence of which the enterprise is applying, the number and the date of issuance and re-registration of the previous licence;

8.7.2. data on the quantity and the assortment, according to groups, of the remainder of alcoholic beverages purchased before the expiry date of the previous licence;

8.7.3. a remittance with bank seals or a receipt confirming the payment of the stamp tax of a fixed amount (shall be submitted after the decision to re-register the licence has been adopted);

8.8. the enterprise wishing to re-register the licence to import alcoholic beverages shall submit to the State Agency of Tobacco and Alcohol Control the following documents:

8.8.1. an application to re-register the licence;

8.8.2. a certificate of the State Tax Inspectorate of the city (district) in which the enterprise is registered certifying that income was declared and taxes paid in time, as well as that no cases of deceitful accounting have been detected;

8.8.3. a certificate of the Customs in the zone of which activity the enterprise is registered certifying that commitments to the Customs are being fulfilled and duties paid;

8.8.4. a certificate of the State Social Insurance Office certifying the payment of duties;

8.8.5. a remittance with bank seals or receipt confirming the stamp tax paid (shall be submitted after the decision to re-register the licence has been adopted);

8.9. the enterprise wishing to re-register its licence to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania or retail trade in alcoholic beverages shall submit to the licence issuing institution the following documents:

8.9.1. an application to re-register the licence;

8.9.2. a certificate of the State Tax Inspectorate of the city (district) in which the enterprise is registered certifying that income was declared and taxes paid in time, as well as that no cases of deceitful accounting have been detected;

8.9.3. a certificate of the State Social Insurance Office about payment of duties;

8.9.4. a certificates of Special Purpose Joint-Stock Company "Stumbras" and Joint-Stock Companies "Vilniaus degtinė", "Alita", "Anykšėi, vynos" certifying that the enterprise has no overdue debts for the alcoholic drinks supplied to it (applications shall be submitted by enterprises wishing to re-register licences to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania, excluding beer);

8.9.5. the certificate of the Customs in the zone of which activity the enterprise is registered certifying that commitments to the Customs are being fulfilled and duties paid (shall be submitted by enterprises wishing to re-register licences to engage in retail trade in alcoholic beverages in duty free shops);

8.9.6. a remittance with bank seals or receipt confirming the stamp tax paid (shall be submitted after the decision to re-register the licence has been adopted);

9. Licences to import alcoholic products (except alcoholic beverages) shall be issued and re-registered in the following procedure:

9.1. licences to import undenaturated ethyl alcohol, denaturated ethyl alcohol, raw materials containing ethyl alcohol, alcohol-based food solutions containing flavour additives, alcohol-based non-food solutions containing flavour additives shall be issued by the State Agency of Tobacco and Alcohol Control;

9.2. licences to import undenaturated ethyl alcohol, raw materials containing ethyl alcohol shall be issued solely to the enterprises holding a licence to produce alcoholic products upon co-ordinating it with the Ministry of Agriculture and Forestry;

9.3. the enterprises wishing to obtain the licence to import alcoholic products (except alcoholic beverages) shall submit the following documents:

9.3.1. a justified application which shall include: the name of the enterprise, its code, address, telephone number, the names, surnames and addresses of the founders of the enterprise, heads of administration, shareholders possessing shares the nominal value of which is higher than 1/10 of the authorised capital, the name of the commercial-

economic activity for the licence of which the enterprise is applying, and for what purpose, the type of alcoholic products to be imported and the location they are planned to be imported from, the addresses of the warehouses in which the imported alcoholic products shall be stored;

9.3.2. copies of the enterprise's Articles of Association, its registration certificate and the Statute (excluding enterprises which function without the Statute) certified by a notary public;

9.3.3. a certificate of the State Tax Inspectorate of the city (district) in which the enterprise is registered certifying that the enterprise declared income in time and paid taxes, as well as that no cases of deceitful accounting have been established;

9.3.4. a certificate of the Customs, in the zone of which the enterprise is registered, on the implementation of commitments to the Customs and payment of taxes;

9.3.5. a certificate of the State Social Insurance Office certifying payment of duties;

9.3.6. copies of contracts concluded with economic entities of foreign countries for the purchase of alcoholic products certified by a notary public. After new contracts have been concluded, their copies shall be submitted additionally;

9.3.7 a quality certificate of alcoholic products issued by the economic subject of a foreign country certifying the quality of the product;

9.3.8. a certificate issued by the National Catering Center of the Ministry of Health Care certifying that alcohol-based food solutions containing flavour additives have been registered with the Center;

9.3.9. a remittance with bank seals or receipt confirming the stamp tax paid (shall be submitted after the decision to issue the licence has been adopted);

9.4. the enterprise wishing to re-register the licence to import alcoholic products (except alcoholic beverages) submits to the State Agency of the Tobacco and Alcohol Control the following documents:

9.4.1. an application to re-register the licence;

9.4.2. a certificate of the State Tax Inspectorate of the city (district) in which the enterprise is registered certifying that the enterprise declared income and paid taxes, as well as that no cases of deceitful accounting have been established;

9.4.3 a standard certificate of the Customs, in the zone of which the enterprise is registered, on the implementation of commitments to the Customs and payment of taxes;

9.4.4. a certificate of the State Social Insurance Office certifying payment of duties;

9.4.5. a remittance with bank seals or receipt confirming the stamp tax paid (shall be submitted after the decision to re-register the licence has been adopted);

10. The required certificates of the State Tax Inspectorate of the city (district) and the Customs, the State Social Insurance Office and Special Purpose Joint-Stock Company "Stumbras" Joint-Stock Companies "Vilniaus degtinė", "Alita", "Anykščių, vynos" shall be issued not earlier than one month before the day of the submission of applications to obtain or re-register the licence.

11. The licence issuing and re-registering institution shall enter and re-register the licences issued in a standard registration book specifying the following: the licence number, the date of issuance, the name of the commercial-economic activity for which the licence has been issued or re-registered, the name of the enterprise for which the licence has been issued to, its code and address, the date of its re-registration, the date of the cancellation of the licence, the amount of the stamp tax paid and the number and date of issuance of the receipt confirming payment of the tax, the name and signature of the person who has collected the licence.

12. The State Agency of Tobacco and Alcohol Control, having issued or re-registered licences to enterprises to import alcoholic products or engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania, shall announce about it in the "Records".

The City (District) Mayor (Council), having issued or re-registered licences to enterprises to engage in retail trade in alcoholic beverages, announces about it through the mass media.

The announcements shall contain the following information: the name, code and address of the enterprise; the activity licenced or re-registered: the licence number; the date of the issuance or re-registration of the licence.

13. The licence issuing or re-registering institution shall submit copies of the licences issued or re-registered to enterprises to import alcoholic products to the Customs Department under the Ministry of Finance within 3 working days.

14. Licences to import alcoholic beverages shall specify:

14.1. the name and number of the licence;

14.2. the addresses of licence holders;

14.3. names of the foreign firms from which the import of alcoholic beverages is permitted;

14.4. kinds and groups of alcoholic beverages permitted to be imported and their code numbers according to the EEC Combined Nomenclature of Goods.

14.5. the date of the re-registration of the licence;

14.6. the date of issuance of the licence;

14.7. the institution issuing and re-registering the licence;

14.8. the address of the warehouse from which wholesale trade in alcoholic beverages shall be conducted:

15. Licences to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania shall specify:

15.1. the name and number of the licence;

15.2. the data about the licence holder;

15.3. kinds and groups of alcoholic beverages permitted to be sold and their codes according to the EEC Combined Nomenclature of Goods;

15.4. the date of the re-registration of the licence;

15.5. the date of the issuance of the licence;

15.6. the institution issuing and re-registering the licence;

15.7. the address of the warehouse from which wholesale trade in alcoholic beverages shall be conducted;

16. The licence to engage in wholesale trade in the remainders of alcoholic beverages shall include data indicated in Articles 15.1 - 15.3 and 15.5 - 15.7, of these Rules, the amount of the remainder of alcoholic beverages according to their groups, the number and the date of the issuance and re-registration of the previous licence to import alcoholic beverages and engage in wholesale trade.

17. Licences to engage in retail trade in alcoholic beverages shall specify:

17.1. the name and number of the licence;

17.2. the data about the licence holder;

17.3. groups and types of alcoholic beverages permitted to be sold;

17.4. the location and time of trade in alcoholic beverages;

17.5. the way of sale of alcoholic beverages (take away or drink on the premises);

17.6. the date of the re-registration of the licence;

17.7. the date of the issuance of the licence;

17.8. the institution issuing or re-registering the licence.

18. The licence to engage in retail trade in the remainder of alcoholic beverages shall include the data presented in Articles 17.1. - 17.5, 17.7 and 17. 8. of the present Rules, the quantity of the remainder of alcoholic beverages according to their groups, as well as the number and date of issuance and re-registration of the previous licence.

19. Licences to import other alcoholic products shall include:

19.1. the name and number of the licence;

19.2. the data about the licence holder;

19.3. kinds of alcoholic products permitted to be imported and their codes according to the EEC Combined Nomenclature of Goods;

19. 4. the date of the issuance and re-registration of the licence;

19.5. the institution issuing or re-registering the licence;

19.6. the address of the warehouses alcoholic beverages shall be stored in.

20. Licences to enterprises shall be issued or re-registered within 30 days from the date of receipt of the documents required to obtain or re-register a licence.

21. Licences to import alcoholic products, engage in wholesale or retail trade in alcoholic beverages shall be issued without time-limit and shall be re-registered annually at the institution which issued it. The licence which is not re-registered in time shall be invalid.

Licences to engage in wholesale or retail trade in the remainders of alcoholic beverages shall be issued for no longer than two months from the end of the validity term of the previous licence.

Licences to engage in retail trade in alcoholic beverages (not more than 22% the volume concentration of ethyl alcohol) during the holiday season shall be issued for the period of that season.

Single permits to engage in retail trade in alcoholic beverages (not more than 12% the volume concentration of ethyl alcohol) in mass events and exhibitions shall be issued for the period not longer than the duration of the event.

22. The enterprise shall submit the application to re-register the licence no later than 30 days prior to the date fixed for the re-registration of the licence.

23. Upon the loss of the licence, the enterprise shall submit a justified explanation to the licence issuing institution, which shall issue a copy of the licence marked with "duplicate".

24. Licences to import alcoholic beverages, to engage in wholesale or retail sale trade in alcoholic beverages shall not be issued if:

24.1. not all the required documents are submitted;

24.2. submitted documents are incompletely or falsely filled in;

24.3. the documents submitted do not conform with the standard requirements;

24.4. the data submitted is false;

24.5. the enterprise is in debt to the state budget of the Republic of Lithuania, the budget of the State Social Security Fund, fails to fulfill its commitments to the Customs, cheated in doing book-keeping and persistently evaded paying taxes in any way;

24.6. the enterprise has outstanding debts to Special Purpose Joint-Stock Company "Stumbras", Joint-Stock Companies "Vilniaus degtinė", "Alita", "Anykščių, vynos" for the alcoholic beverages supplied;

24.7. claims are lodged in writing by controlling state supervising agencies concerning the activities of the enterprise;

24.8. the validity of the licence was canceled according to the requirements laid down in Articles 43.4 - 43.9 of the present rules (the licence shall not be issued five years from the day of the cancellation of its validity);

24.9. the validity of the licence was canceled according to the requirements laid down in Article 43.10 of the present rules;

24.10. the founders of new enterprises wishing to obtain licences to engage in wholesale or retail trade in alcoholic beverages are founders of the enterprises the validity of licences of which was canceled in accordance with Parts 10 and 11 of Article 44 of the Law of the Republic of Lithuania on Alcohol Control. Licences to import alcoholic products shall not be issued if the founders (shareholders) or heads of administration of the new enterprises are founders (shareholders possessing shares the nominal value of which exceeds 1/10 of the authorised capital) of the enterprises the licence validity of which was canceled according to Parts 10 and 11 of Article 44 of the Law of the Republic of Lithuania on Alcohol Control, as well as the requirements laid down in Articles 43.4. - 43.10 of the present rules. If the validity of licences of the said enterprises was canceled in accordance with Part 10 of Article 44 of the Law of the Republic of Lithuania on Alcohol Control and the requirements set forth in Articles 43.4 - 43.9 of the present rules, licences shall not be issued for 5 years from the date their validity was canceled, and if the validity of licences was canceled according to Part 11 of Article 44 of the Law of the Republic of Lithuania on Alcohol Control and the requirements set forth in Article 43.10 of the present rules, licences shall not be issued.

25. Licences shall not be re-registered if:

25.1. not all the required documents are submitted;

25.2. the data submitted is false;

25.3. the enterprise is in debt to the State Budget of the Republic of Lithuania, the budget of the State Social Security Fund, fails to fulfill its commitments to the Customs, cheated in accounting and persistently evaded paying taxes in any other way;

25.4. the enterprise has outstanding debts to Special Purpose Joint-Stock Company "Stumbras", Joint-Stock Companies "Vilniaus degtinė", "Alita", "Anykščių, vynos" for the alcoholic beverages supplied to it;

25.5. claims are lodged in writing by controlling state supervising agencies concerning the activities of the enterprise;

26. Upon the refusal to issue or re-register the licence, the applicant shall be informed about it in writing within 30 days from the day of receipt of the documents and reasons for the refusal to issue or re-register the licence shall be given.

Licence Taxes

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27. The stamp tax shall be collected for the issuance or re-registration of licences according to the established procedure of the Law on the Stamp Tax of the Republic of Lithuania and the Resolutions of the Government of the Republic of Lithuania.

Conditions for Licensing Activities

28. The control of the activity of the enterprises holding a licence to import alcoholic products, engage in wholesale or retail trade in alcoholic beverages, and the supervision of conditions for licenced activities shall be conducted by the licences issuing institution, the Ministry of the Interior, the Ministry of Finance, the state supervision agencies of the Ministry of Health Care within their competence, the Customs Department under the Ministry of Finance, the State Competition and Consumer Protection Office under the Government of the Republic of Lithuania and the State Quality Inspectorate under the State Competition and Consumer Protection Office.

Controlling State Supervision Agencies shall inform without delay the institution which issued licences in writing about the violation of conditions of licensing activity established in enterprises.

29. Licence holders shall observe the Law of the Republic of Lithuania on Alcohol Control as well as other laws, resolutions of the Government of the Republic of Lithuania, the present rules, rules of retail trade in alcoholic beverages and trade in public catering enterprises, other legal acts regulating the procedure of import of alcoholic products and their trade, settlement of accounts and payment of taxes, as well as sanitary, hygienic and quality requirements.

30. Licence holders have no right to authorise or transfer by contract on their behalf to other enterprises or agents of the enterprise (natural persons) the right to carry out the activity specified in licences.

31. The original of the licence shall be kept in safety at the enterprise. Licence copies shall be kept in safety at other enterprise outlets which shall be included into the licence and which engage in the activity specified thereof.

The original of the licence to engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania shall be kept in safety at the enterprise, and licence copies shall be kept in safety in warehouses which shall be included into the licence. If the enterprise obtains the licence to engage in this activity in its outlet located in another town (district), the original of the licence shall be kept in safety in that outlet, and the copies of the licence shall be kept in safety in the warehouses indicated in the licence.

The original of the licence to engage in retail trade in alcoholic beverages shall be kept in safety at the enterprise, and if the enterprise obtains the licence to engage in this activity in its outlet (a specialised shop, specialised department, restaurant, cafe, buffet (including a closed one), bar, etc.) which serve customers or serve alcoholic beverages to waiters, the original of the licence is kept in safety therein.

32. The enterprise, holding a licence to import alcoholic products, engage in wholesale or retail trade in alcoholic beverages, shall carry out the activity specified in the licence exclusively in the location indicated thereof.

33. Enterprises holding licences to import alcoholic beverages shall import only those alcoholic beverages the names of which are indicated in the licence and exclusively from the foreign firms (enterprises) indicated therein.

Enterprises holding licences to engage in wholesale trade of alcoholic beverages produced in the Republic of Lithuania shall purchase them exclusively from the enterprises holding licences to produce alcoholic beverages.

34. Enterprises holding licences to engage in retail trade in alcoholic beverages shall purchase them only from the enterprises holding licences to produce, import them or engage in their wholesale trade, and they shall purchase alcohol-based food solutions with flavour additives only from the enterprises licenced to produce or import them.

This requirement shall not be applicable to the enterprises holding licences to engage in retail trade in alcoholic beverages in duty free shops.

35. Enterprises holding licences to import alcoholic beverages, engage in their wholesale trade shall sell them only to the enterprises licenced to engage in retail trade in alcoholic beverages.

Enterprises holding licences to import denaturated ethyl alcohol, technical ethyl alcohol and alcohol-based non-food solutions with flavour additives, shall sell them only to those economic entities which use those products for production or technical purposes.

Enterprises having licences to import alcohol-based food solutions with flavour additives shall sell them packed in disposable containers not larger than 20 grams capacity exclusively to the economic entities which use these solutions for production.

36. Enterprises holding licences to import alcoholic products or engage in their wholesale trade when selling them to economic entities, shall be obliged:

36.1. to issue a copy of a quality certificate of an established standard for each name of the product (selling imported alcoholic beverages with quality certificates marked “Additional Control is Obligatory” by the Lithuanian Frontier Customs Control of Foodstuffs, a copy of the licence to sell the consignment of goods issued by the State Public Health Surveillance Agency must be attached);

36.2. to indicate in valid bills of delivery the number and the date of issuance of the licence to import alcoholic products or engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania, numbers of tag-stickers of the alcoholic beverages being sold, as well as the number and address of the warehouse they shall be purchased from. If several warehouses are located at the same address the warehouses shall be given numbers.

37. The licence to import alcoholic products (except undenaturated ethyl alcohol and raw materials containing ethyl alcohol) also gives the right to the enterprise to engage in wholesale trade in imported alcoholic products.

Enterprises holding licences to import undenaturated ethyl alcohol or raw materials containing ethyl alcohol shall import only those of these products which are produced of raw materials suitable for human consumption and exclusively for their own production needs, without the right to sell them to other economic entities.

The licence to engage in wholesale or retail trade in the remainder of alcoholic beverages gives the right to sell the remainder only of the products purchased before the expiry of the validity of the previous licence to import alcoholic beverages, engage in their wholesale or retail trade.

38. Enterprises holding licences to import alcoholic beverages, shall have them supplemented when the assortment of imported alcoholic beverages is increased. Licences are supplemented by the State Agency of Tobacco and Alcohol Control. The enterprise wishing to have its licence supplemented submits the application to the State Agency of Tobacco and Alcohol Control, the certificate of the city (district) State Tax Inspectorate certifying that the incomes have been declared, taxed paid, as well as the documents indicated in Article 8.4.5 - 8.4.11 of the present rules.

The enterprises holding licences to import alcoholic beverages or engage in wholesale trade in alcoholic beverages produced in the Republic of Lithuania may have their licences supplemented - addresses of additional warehouses in which they engage in wholesale trade in alcoholic beverages shall be entered.

Rights of Licence Holders

39. Enterprises holding licences to import alcoholic products, engage in wholesale or retail trade in alcoholic beverages shall have the right to:

39.1. engage in the activity specified in the licence;

39.2. demand explanation in the event of suspension, cancellation of the licence as well as the refusal to issue or re-register the licence.

39.3. to appeal against decisions of the authorities concerning the suspension or cancellation, refusal to issue or re-register licences to the Government of the Republic of Lithuania, and in the procedure established by laws - to court.

Notification about Suspension of the Validity of the Licence and its Cancellation

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40. The licence issuing institution notifies the licence holder about a possible suspension of the licence validity if:

40.1. the licence holder does not settle accounts with the State Budget of the Lithuanian State, the Budget of the State Social Security Fund and does not fulfill his commitments to the Customs;

40.2. the licence holder does not settle accounts in time with Special Purpose Joint-Stock Company “Stumbras”, Joint-Stock Companies “Vilniaus degtinė”, “Alita”, “Anykščių, vynos” for the production supplied;

40.3. the licence holder violated the requirements laid down in Articles 31 and 36 of the present rules;

40.4. claims are lodged in writing by controlling state supervising agencies concerning the activities of the enterprise;

41. A concrete procedure of warning about the possible cancellation of the licence validity shall be established by the licence issuing institution;

42. Chiefs of corresponding Police Commissariats have the right to suspend the validity of the licence to engage in retail trade in alcoholic beverages for up to 24 hours, if the enterprise has violated the rules of selling alcoholic beverages.

43. The licence validity shall be canceled if:

43.1. the licence holder submits an application to cancel the licence validity;

43.2. the enterprise is liquidated or reorganised upon the termination of activity as an independent economic entity;

43.3. the licence holder fails to re-register the licence within the fixed time;

43.4. it has been established that data presented to obtain or re-register the licence was incorrect;

43.5. the enterprise sells, stores or imports alcoholic products the purchase of which has not been confirmed by legal documents;

43.6. it has been established that the enterprise sells, stores or transports ersatz alcoholic products or the products the quality of which does not conform to the quality or hygiene requirements established in the Republic of Lithuania.

43.7. the enterprise which has been warned about a possible cancellation of the licence validity failed to eliminate the violations of the conditions of the licensing activity specified in Article 40 of the present rules within the fixed time.

43.8. the licence holder does not observe Articles 1-12 of Part 1 of Chapter 20 of the Law of the Republic of Lithuania as well as the requirements set forth in Paragraphs 2 and 3 of Articles 30, 32 - 35 and 37 of the present rules;

43.9. it has been established that the licence holder cheated in doing book-keeping and persistently evaded paying taxes;

43.10. an indictment or the Customs resolution to impose a penalty on heads and employees of enterprises for smuggling and sale of smuggled alcoholic products and provided they acted on behalf of or in the interests of the enterprise has become legal.

44. The enterprise the licence of which has been canceled according to the requirements of Articles 43.4 - 43.9 of the present rules shall not be issued a new licence for 5 years from the date of the cancellation of its validity.

The enterprise the licence of which has been canceled according to the requirements laid down in Article 43.10 of the present rules shall not be issued a repeat licence.

45. The validity of licences is canceled by the licence issuing institution upon written recommendation of Controlling State Supervising Agencies.

The validity of licences to engage in retail trade in alcoholic beverages is canceled by the City (District) Mayor (Councils) or the State Agency of Tobacco and Alcohol Control.

46. The licence issuing institution, upon the cancellation of the validity of the licence to import alcoholic products, engage in wholesale trade in alcoholic beverages shall announce about it in the "Records".

Upon the cancellation of the validity of a licence the City (District) Mayor (Councils) shall announce it through the mass media.

The announcement shall contain the following information:

the name, code and address of the enterprise;

the name, number and date of issuance of the licence;

the date of the cancellation of the licence validity.

47. The canceled licences shall be returned to the licence issuing institution within five working days from the day of announcing about it in the

”Records” or through the mass media.

APPROVED

by Resolution No 559
of 5 June 1997
of the Government of
the Republic of Lithuania

Rules of Retail Trade in Alcoholic Beverages
for Trading and Public Catering Enterprises

1. Retail trade in alcoholic beverages shall be carried out only by those trading and public catering enterprises (including the enterprises trading in alcoholic beverages in duty free shops) which have valid licences to engage in retail trade in alcoholic beverages issued by the City (District) Mayor (Councils).

2. The original of the licence to engage in retail trade in alcoholic beverages shall be kept in safety at the enterprise. In case the enterprise obtains the licences to carry out this activity in its outlet (a specialised shop, specialised section, restaurant, cafe, buffet, (including a closed one), bar, etc.) which serve customers or serve alcoholic beverages to waiters, the original of the licence shall be kept in safety in this outlet.

3. The trade in alcoholic beverages shall be permitted only at the stationary trading enterprise established specifically for such trade or their special sections intended for such trade and at stationary public catering enterprises. Beer, bottled by breweries, shall be permitted to be sold in kiosks and special sections of trading enterprises.

Alcoholic beverages shall be permitted to be sold in village shops only in case they are given a special shelf.

4. Alcoholic beverages by the glass shall be permitted to be sold at stationary public catering enterprises (without the right to take them away), and beer on draught shall be permitted to be sold at special shops of the breweries. Bottled alcoholic drinks shall be bought to take away at public catering enterprises.

5. Trading and public catering enterprises shall be permitted to sell alcoholic beverages only from 11 a.m. (to sell beer - from 8 a.m.) till 6 a.m. of the following day.

6. After working hours, indicated in the licence, a special section trading in alcoholic beverages shall be closed, and in case this section is located in a village general store, alcoholic beverages shall be removed from the shop windows.

7. Enterprises holding licences to engage in retail trade in alcoholic beverages shall sell alcoholic beverages purchased from their distilleries only which hold licences to produce alcoholic beverages, import them into the Republic of Lithuania or engage in their wholesale trade.

8. It is prohibited to sell, store in shops, administrative and auxiliary premises, warehouses, to exhibit and transport the following:

8.1. alcoholic beverages which have no copy of the quality certificate for each consignment and name of the product (imported alcoholic beverages with quality certificates marked "Additional Control is Obligatory" by the Lithuanian Frontier Customs Control of Foodstuffs, unless the licence to sell the consignment of goods, issued by the State Public Health Surveillance Agency, is available);

8.2. imported alcoholic beverages and alcoholic beverages produced in the Republic of Lithuania, the quality and (or) hygienic indices of which do not conform to the requirements established in the Republic of Lithuania;

8.3. alcoholic beverages of the groups which are not included into licences;

8.4. alcoholic beverages (except beer) bearing no established special mark (tag-stickers);

8.5. alcoholic beverages containing ethyl alcohol produced of raw materials not suitable for human consumption;

8.6. imported alcoholic beverages and alcoholic beverages produced in the Republic of Lithuania, the trade marking of which does not conform to LST (CODEX STAN 1): the 1993 general requirements for marking packed foodstuffs and the rules of marking goods which are in force in the Republic of Lithuania;

8.7. false alcoholic beverages;

8.8. beer of not more than 9,5% the volume concentration of ethyl alcohol;

8.9. wine of not more than 22% the volume concentration of ethyl alcohol;

8.10. distilled ethyl alcohol products of not more than 50% the volume concentration of ethyl alcohol. This requirement shall not be applicable to alcoholic beverages produced by Closed Joint-Stock Company "Lietuviðkas midus";

8.11. home made alcoholic beverages except beer made according to normative documents, when the licence to brew it is issued in the established order;

8.12. imported alcoholic beverages (except beer) if their price is lower than the sum of valid state taxes (excise tax, duties and VAT) and if the seller of these beverages has no valid documents confirming the state tax paid.

8.13. alcoholic beverages the purchase of which has not been confirmed by valid documents;

8.14. smuggled alcoholic beverages.

9. It is prohibited to sell:

9.1. alcoholic beverages out of the machine;

9.2. alcoholic beverages to people under 18;

9.3. alcoholic beverages to drunk persons;

9.4. alcoholic beverages to officials in uniforms;

10. Requirements laid down in Articles 3.7. - 7, 8.4, 8.12 and 9.4 of these rules shall not be applicable to the enterprises selling alcoholic beverages in duty free shops.

11. Persons who have violated the present rules shall be liable according to the procedure established by the Criminal Code of the Republic of Lithuania and the Code of Violating Administrative Rights of the Republic of Lithuania.