

(C) (1) THE PROVISIONS OF THIS SUBSECTION APPLY ONLY TO BREWED PRODUCTS.

(2) A BREWER, NONRESIDENT DEALER, OR BEER WHOLESALER MAY NOT FURNISH ANY SIGN OVER \$50 IN VALUE TO THE HOLDER OF ANY RETAIL LICENSE ISSUED UNDER THE PROVISIONS OF THIS ARTICLE WHERE THE SIGN ADVERTISES THE BEER OR MALT PRODUCTS OF A PARTICULAR BREWER, NONRESIDENT DEALER, OR BEER WHOLESALER.

(3) THE SIGN SHALL CONTAIN BRAND IDENTIFIABLE ADVERTISING MATTER THAT IS PROMINENT, PERMANENT, AND EQUAL TO THE LIFE AND VALUE OF THE UTILITARIAN CHARACTER OF THE ADVERTISING ITEM.

(D) (1) THE PROVISIONS OF THIS SUBSECTION APPLY ONLY TO WINE AND DISTILLED SPIRITS PRODUCTS.

(2) Signs [, posters, placards, devices, graphic displays] bearing advertising matter or any other forms of advertising for use in windows or elsewhere on a retail liquor establishment may be given or furnished to a retailer by a brand owner who is engaged in the business [as a distiller, nonresident dealer, rectifier, blender, bottler or wholesaler of alcoholic beverages other than beer and malt beverages provided] OF A BUSINESS ENTITY, IF:

[(1)](I) The utilitarian value is secondary and only incidental to the value as an advertisement [, and provided:];

[(2)](II) The total value of any item furnished by any brand owner for each of its individual brands for use in any one retail establishment at any one time does not exceed the sum of \$150 for each individual brand [,]; and [provided:];

[(3)] (III) The cost of installation of these materials does not exceed that which is usual and customary in that particular locality.

[(b)] (3) (I) In lieu of premanufactured advertising material, materials and labor may be furnished by a brand owner for the custom manufacture of an advertising display not exceeding \$150 which is temporary in nature and has no other utilitarian value.

(II) A manufacturer or nonresident dealer or brand owner may not undertake any plan or design which directly or indirectly results in the purchase of advertising materials or supplies or advertising services by any wholesale or retail licensee; neither [shall] MAY a wholesale or retail licensee participate directly or indirectly in any transaction in which he pays for or shares in the cost for any of the value of the advertising materials, supplies, services, or mailing expenses utilized to promote a brand owner's products [,; nothing contained herein is intended to].

(III) THESE PROVISIONS DO NOT prevent a wholesale licensee from furnishing brand owners [, as defined,] with display materials and installation services at charges, computed at not less than the fair market value for these services. [Any person violating any of the provisions of this section shall, upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment for not more than two years or by both fine and imprisonment in the discretion of the court.