

1974 WL 27897 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 1, 1974

*1 Mr. Joe G. Shinn
Director
South Carolina Alcoholic
Beverage Control Commission
Box 1445
Columbia, South Carolina 29202

Dear Mr. Shinn:

This is in reply to your inquiry of July 29, 1974, as to whether the provisions for cash deposits set forth in Title 4, Section 202.1, Code of Laws of South Carolina include deposits on empty draft beer barrels.

The question is one of what meaning shall be assigned to the word 'empties' on line 8 of § 4-202.1. In defining the minimum cash deposit on empties, the following sentence makes specific mention of the deposit per case, Whether in twelve-ounce bottles or one-quart bottles. This limiting sentence provides no specific definition of 'empties', but obviously was intended to apply only to bottles or other containers designed to accommodate individual consumption. The wording of this limiting sentence allows for no such broad construction as would permit beer kegs or barrels to come within the meaning of 'empties'.

I trust this will answer your question.

Sincerely,

Dudley Saleeby, Jr.
Assistant Attorney General

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