297F.15 PHYSICAL INVENTORY; OFFSET.

Subdivision 1. MS 2004 [Repealed, 2005 c 151 art 1 s 117]

Subd. 2. MS 2004 [Repealed, 2005 c 151 art 1 s 117]

Subd. 3. MS 2004 [Repealed, 2005 c 151 art 1 s 117]

Subd. 4. MS 2004 [Repealed, 2005 c 151 art 1 s 117]

Subd. 5. MS 2004 [Repealed, 2005 c 151 art 1 s 117]

Subd. 6. MS 2004 [Repealed, 2005 c 151 art 1 s 117]

Subd. 7. MS 2004 [Repealed, 2005 c 151 art 1 s 117]

Subd. 8. MS 2004 [Repealed, 2005 c 151 art 1 s 117]

Subd. 9. **Physical inventory.** The commissioner or the commissioner's authorized agents may, as considered necessary, require a cigarette or tobacco products distributor to furnish a physical inventory of all cigarettes or tobacco products in stock. The inventory must contain the information that the commissioner requests and must be certified by an officer of the corporation.

Subd. 10. **Offset.** Upon audit, if a distributor's return reflects an overage resulting from an inventory counting error, the overage shall be offset against a shortage, if any, in the month immediately preceding the month of the overage. If any overage remains after that offset, the remainder may only be offset against a shortage, if any, in the month immediately following the month of the overage. If the commissioner determines that the overage is attributable to a mistake by the distributor other than an inventory counting error, the commissioner may permit the overage to be offset against a shortage in any month or months during the 12-month period immediately following the month when the overage was discovered upon audit.

History: *1997 c 106 art 1 s 15*