

**SENATE BILL REPORT**

**SB 5450**

**AS REPORTED BY COMMITTEE ON COMMERCE & LABOR, FEBRUARY 27, 1991**

**Brief Description:** Concerning pasteurization in relation to licenses for the sale of beer.

**SPONSORS:** Senators Sellar, Snyder, Matson, Moore, McMullen, McDonald and Skratek.

**SENATE COMMITTEE ON COMMERCE & LABOR**

**Majority Report:** That Substitute Senate Bill No. 5450 be substituted therefor, and the substitute bill do pass.

Signed by Senators Matson, Chairman; Anderson, Vice Chairman; Bluechel, McCaslin, McDonald, McMullen, Moore, Murray, and Skratek.

**Staff:** Traci Anderson (786-7452)

**Hearing Dates:** February 13, 1991; February 27, 1991

**BACKGROUND:**

Current statutory language related to the issuance of class A, B, D and E beer retailer licenses differentiates between "pasteurized" and "unpasteurized" beer and between beer to be consumed on premises and beer to be consumed off premises.

Class A and class B beer licensees may sell beer for consumption on premises and may sell unpasteurized beer for consumption off premises. Unpasteurized beer must be sold in a keg of not less than seven and three-fourths gallons or in a sanitary container brought to the premises by the purchaser which is filled at the tap by the retailer and is to be consumed off premises.

Class A licenses may be issued to hotels, restaurants, drug stores, soda fountains, clubs, dining places on boats and airplanes, and to sports arenas or race tracks during professional athletic events. Class B licenses may be issued to taverns.

Class D beer licensees may sell pasteurized beer by the opened bottle for on-premises consumption. Class D licenses may be issued to hotels, restaurants, clubs, drug stores, soda fountains, dining places on boats and airplanes, and other places where the sale of beer is not the principal business conducted.

Class E beer licensees may sell pasteurized beer in bottles and original packages to be consumed off premises. Class E licenses may be issued to retail stores and to holders of class A or class B licenses.

**SUMMARY:**

All references made to "pasteurized" and "unpasteurized" beer are stricken from the statutes related to the issuance of class A, B, D and E beer retailer licenses.

**EFFECT OF PROPOSED SUBSTITUTE:**

Language is added which clarifies that establishments holding only a class E beer retailer's license cannot sell malt liquor in kegs or other containers capable of holding four gallons or more of liquid.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested February 11, 1991

**TESTIMONY FOR:**

In the Washington Administrative Code (WAC), no distinction is made between pasteurized and unpasteurized beer primarily because all beer is technically considered as pasteurized. Existing statutes do make a distinction between the two types of beer. The statutes should be made consistent with the Washington Administrative Code.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Steve Wehrly, Miller Distributing