
Commerce & Labor Committee

HB 1632

Brief Description: Regulating beer and wine sampling.

Sponsors: Representatives Grant, Condotta, Conway, Crouse and Armstrong.

Brief Summary of Bill

- Allows grocery stores to provide samples of beer or wine to promote sales.
- Allows breweries, wineries, and certificate of approval holders, to bear certain sampling costs.

Hearing Date: 2/2/05

Staff: Jill Reinmuth (786-7134).

Background:

A beer and/or wine specialty shop may provide samples of two ounces or less to customers to promote sales. A liquor manufacturer, importer, or distributor may not bear the costs of the sampling.

A brewery, distributor, winery, distiller, certificate of approval holder, or importer may furnish samples of beer, wine, or spirits to a licensee to negotiate sales. Except for importers, these licensees are also allowed to provide samples of beer, wine, or spirits to licensees and their employees to instruct them on the history, nature, values, and characteristics of the beer, wine, or spirits. A winery, certificate of approval holder, or distributor may furnish wine to certain not-for-profit and nonprofit groups. Finally, a brewery or winery may serve beer or wine without charge on its premises.

Summary of Bill:

Sampling activities by grocery store licensees ("grocery stores") are allowed. A grocery store may provide free samples of two ounces or less, but no more than a total of eight ounces, of beer or wine to promote sales. Sampling is allowed only if the area of the grocery store is at least 20,000 square feet.

Conditions on sampling activities by grocery stores are established. The service area must be in the grocery store. The size and the design of the service area must permit the grocery store to

observe and control persons in the area to ensure that persons under 21 and intoxicated persons cannot possess or consume alcohol. Customers must remain in the service area while sampling.

Limited exceptions to the prohibition on sampling costs being borne by manufacturers, importers, and wholesalers are established. A brewery or certificate of approval holder may bear both the direct and the indirect costs of providing samples of its own brands of beer to grocery stores and beer and/or wine specialty shops. As a result, the brewery or certificate of approval holder may furnish beer and pour samples for customers. A winery may bear only the indirect costs of providing samples of its own brands of wine. The winery may not furnish wine, but may pour samples. Sampling activities may occur no more than eight times per calendar year, no longer than two consecutive days, and no more frequently than once every four weeks.

Rules Authority: The bill does not contain provisions addressing the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Requested on January 31, 2005.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.