## STATE OF CONNECTICUT



## DEPARTMENT OF CONSUMER PROTECTION

From the Office of John Suchy Schm Suchy Liquor Control Division Director
September 13, 2013

Wine Tastings at Package Stores

The department is providing this as a clarification of its May 24, 2013 policy statement regarding tastings at package stores.

The May 24, 2013 policy statement was not intended to change departmental policy with regard to the ability of wholesalers, out-of-state shippers, and manufacturers to assist retail permittees in the planning, promoting and conducting of tastings at package stores for the general public.

The department's position remains that such wholesalers, out-of-state shippers, manufacturers, or third party vendors may be present and assist in such planning, promoting, and conducting, including pouring, of such tastings as long as they are acting as agents of the package store for purposes of conducting the event as required by Section 30-6-B21 (a) (3) of the Regulations of Connecticut State Agencies. Package store permittees should take steps to document that those conducting the tastings on behalf of the package store are agents of the package store. As with all records, such documents should be available for inspection by the department. In order to provide appropriate oversight, the department expects that such records will be maintained for a period of one year.

The department reminds wholesalers, out-of-state shippers, and manufacturers planning, promoting, and conducting such tastings, and acting as the package store's agent, to be mindful of the prohibitions on discrimination between permittees. Tasting services available to permittees, however, may be tailored to take into account differences in individual permittee business models.

The department also issues the following as a caution:

Package store permit holders will be held strictly accountable as it relates to the service to minors and/or intoxicated patrons. Under certain circumstances, the wholesaler, manufacturer, or out-of-state shipper may be held responsible for such transgressions.

All permittees are cautioned not to use legitimate in-store tastings as a means to furnish and/or receive free goods or inducements in violation of Section 30-6-A29 of the Regulations of Connecticut State Agencies.

It is permissible under Section 30-6-A33 (b) of the Regulations of Connecticut State Agencies for any wholesaler, out-of-state shipper, or manufacturer to furnish to a retail permittee or backer free samples

of alcoholic liquor in connection with a tasting conducted in accordance with Section 30-6-B21a of the Regulations of Connecticut State Agencies, provided: (1) the samples are for an alcoholic product that the retail permittee has not sold within the previous twelve months; (2) the samples shall be provided to a permittee or backer, or an employee or agent of the permittee or backer who is authorized to purchase alcoholic beverages of the kind given as samples; and (3) the samples shall not exceed a single container of three liters.