



**Washington State
Liquor Control Board**

February, 10 2010

To: Sharon Foster, Board Chairman
Ruthann Kurose, Board Member

From: Karen McCall, Senior Policy/Legislative Analyst

Subject: Rescind LCB Policy #2008-01 Guidelines and procedure in
conducting the pilot study of wine and beer tasting in grocery
stores.

This policy was a result of ESB 5751 passed in the 2008 legislative session. The pilot allowed tasting of beer and wine in grocery stores for a one-year period beginning on October 1, 2008, and ending September 30, 2009.

Move to rescind LCB Policy #2008-01.

✓
Approve

Not Approve

Sharon Foster
Sharon Foster, Board Chairman

✓
Approve

Not Approve

Ruthann Kurose
Ruthann Kurose, Board Member





Washington State
Liquor Control Board

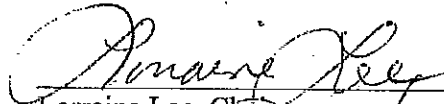
Liquor Control Board Policy Number 2008-01

Subject of Policy: Guidelines and procedure in conducting the pilot study of wine and beer tasting in grocery stores (Chapter 305, Laws of 2008)

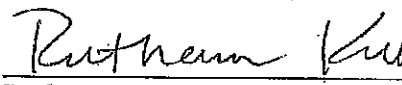
Effective Date: August 6, 2008

Ending Date: September 30, 2009 or when rules are adopted to implement this legislation, which ever is sooner.

Approved:


Lorraine Lee, Chair


Roger Hoen, Board Member


Ruthann Kurose, Board Member

Purpose Statement:

Chapter 305, Laws of 2008 established a pilot program allowing tasting of beer and wine in grocery stores for a one-year period commencing October 1, 2008, and ending September 30, 2009. The Liquor Control Board (LCB) was authorized to adopt rules to implement this program, and this policy statement is intended to give guidance to LCB staff and the regulated industry until rules are adopted. The statute clearly outlines the criteria under which a grocery store licensee may be authorized to conduct tasting. Further, the statute limits how tasting shall be conducted during the pilot. Data shall be gathered during the pilot program for a report to the legislature by the LCB by December 1, 2009.

Policy Statement:

Until superseded by rule, the pilot tasting program in grocery stores will be conducted in accordance with the policy and procedure outlined below. Roles and responsibilities within the LCB are advisory relative to the division identified as lead. LCB staff shall provide guidance and oversight of this pilot program, with maintaining public safety being the primary performance measure. Modifications to the procedures and guidelines listed below may only be granted with the concurrence of the Director of Licensing and Regulation and the Chief of Enforcement and Education.

Procedure and/or Desired Outcome	Responsible Party
<p>Select stores for participation in the pilot from pool of licensees who have responded to inquiry. Stores shall be equally allocated between independent and national chain stores.</p> <ul style="list-style-type: none"> • Independent stores will be selected by a lottery or drawing with at least three (3) stores located east of the Cascade Mountains. • National chain stores will be selected in approximate proportion to the number of eligible stores in Washington. National chains will be assigned a number of pilot stores by LCB staff. Each chain requesting participation will have a least one representative store. Chain stores are encouraged to have broad geographic representation in the pilot stores they select. 	LCB Licensing and Regulation Division
<p>Stores that are selected will be contacted to verify they meet the statutory requirements to be included in the pilot. A copy of this interim policy will be shared with the stores and further contact information obtained as necessary (e.g. e-mail address). Stores will be asked to submit a form acknowledging their agreement to abide by the requirement of this policy.</p>	LCB Licensing and Regulation Division
<p>Stores will receive communication pertaining to how employees involved in tasting can receive limited alcohol server training. This communication may coincide with other communication referenced above.</p>	LCB Enforcement and Education Division in consultation with MAST program
<p>Local authorities will be notified in writing that store(s) within their jurisdiction have been selected to participate in this pilot program. If a selected store lies within a currently authorized Alcohol Impact Area (AIA), the jurisdiction will be so notified. This communication is not an opportunity for local authorities to object. If a pilot store is located within a currently authorized Alcohol Impact Area (AIA), the local authority will be notified of their ability to protest if tasting activities are shown to have an adverse effect on the reduction of chronic public inebriation.</p>	LCB Licensing and Regulation Division
<p>Stores will receive a letter authorizing their participation in the pilot tasting program. This letter will include conditions which must be met by the store and this letter shall be prominently posted in the tasting area.</p>	LCB Licensing and Regulation Division and Licensed stores.
<p>By September 15, 2008, stores will provide the LCB with an estimated frequency of tasting events. LCB Enforcement and Education Division require this information in order to plan resource needs for these tasting events. Stores will also provide the LCB with a narrative explaining how they plan to observe and control persons during tasting events as required by the authorizing statute. A sketch may be provided if it assists in explaining the store's plan for controlling the tasting area.</p>	Licensed stores

Procedure and/or Desired Outcome	Responsible Party
Stores will provide the LCB notice of each tasting event at least five (5) working days in advance of the event. The preferred communication method is e-mail. Each store will be provided with the appropriate e-mail address for contact.	Licensed stores
The LCB will establish a web page and associated e-mail address for the tasting pilot. The purpose of this page is to provide the public with information on the scope of the pilot program and facilitate public comments and/or concerns during the period of the pilot.	Communication Office in consultation with Licensing and Enforcement
The first tasting event at each location will be visited to ensure that monitoring and control of the event is satisfactory. Subsequent tasting events will be regularly visited and monitored to ensure compliance with this policy and all applicable laws and regulations pertaining to service to minors and over service. These visits will include unannounced compliance checks.	Enforcement and Education Division
Pilot stores will be surveyed during and/or at the completion of the pilot relative to their opinion as to problems encountered during the pilot and/or best practices in ensuring public safety during tasting events	Enforcement and Education Division
LCB staff will document all findings, complaints and comments received relating to the conduct of this pilot. The Enforcement and Education division shall be responsible for preparing the report required by statute. This report will be reviewed by LCB management and the Board prior to submission to the legislature.	Enforcement and Education Division

