

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. 20 Department or Agency Alabama Alcoholic Beverage Control Board

Rule No. 20-X-7-10

Rule Title: Beer Tastings

 New X Amend Repeal Adopt by Reference

Would the Absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

no

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?

yes

Is there another, less restrictive method of regulation available that could adequately protect the public?

no

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

no

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

no

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

yes

.....
Does the proposed rule have an economic impact:

no

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date 2-20-17

APA-2
11/96

**ALABAMA ALCOHOLIC BEVERAGE
CONTROL BOARD**

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 20-X-7-.07 Wine Tastings.
 20-X-7-.10 Beer Tastings.

INTENDED ACTION: Amend rules.

SUBSTANCE OF PROPOSED ACTION:

To add the provision for off-premises beer and wine tastings.

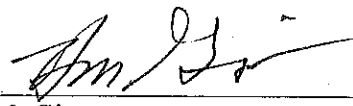
TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may present their views in writing to the Administrative Procedures Secretary, Alabama ABC Board at 2715 Gunter Park Drive, West, Montgomery, Alabama 36109, or via email admin@abc.alabama.gov , by May 5, 2017.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: May 5, 2017

CONTACT PERSON AT AGENCY:

Robert S. Hill, III, General Counsel, Alabama ABC Board, 2715 Gunter Park Drive, West, Montgomery, Alabama 36109.



H.M. Gipson
Administrator

20-X-7-10. Beer Tastings.

Beer tastings may be permitted subject to the following terms and conditions:

(a) Beer tastings are restricted to the following licensed premises:

1. On premises beer.
2. Off premises beer.
- ~~2~~3. Lounge retail liquor, Class I.
- ~~3~~4. Restaurant retail liquor.
- 4 5. Club liquor, Class I and II.
- 5 6. Wholesale beer.
- 6 7. Special events retail.
- 7 8. Special retail.

(b) All participants in any tastings shall be of legal drinking age.

(c) Beer tastings shall be of a structured nature and not exceed a period of 2 ½ continuous hours.

(d) All beer shall be dispensed from original containers prepared by the manufacturer with labels visible to the consumer. Individual samples furnished to a consumer shall contain no more than two ounces of the beer.

(e) Beer tastings may be conducted by beer manufacturers or wholesalers on any of the licensed premises referred to in (1)(a) above. The manufacturer or wholesaler shall be permitted to conduct beer tastings utilizing its own personnel, with the assistance from retail personnel if desired. At all tastings, the manufacturer, wholesale or retail licensee shall provide for purposes of the promotion, a person with a sufficient knowledge of the product(s) involved to conduct said tastings.

(f) Beer tastings shall be limited to products which have not been available, or have not been widely distributed, within the State of Alabama for a period of more than one (1) year immediately preceding the date of the beer tasting.

(g) All cost of a beer tasting, including the cost of the beer, shall be borne by the licensee on whose premises the beer tasting is held.

AUTHOR:

ABC Board

STATUTORY AUTHORITY:

Code of Ala. 1975, §28-3-49.

HISTORY:

New Rule: Filed January 15, 1999; effective February 19, 1999