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## Beer License Renewals

by Neil Cohen

On premise beer licensees will receive a renewal application in early January. The renewal documents and fees are due on Monday, January 31, 2005.

The renewal fee is \$200 for on-premise beer retailers that are not taverns. The renewal fee for taverns is \$1000.

Important license renewal items to remember:

1. Due date is Monday, January 31, 2005.
2. We will notify you *if* you have delinquent taxes or are otherwise not in good standing with the Utah Tax Commission (sales tax/payroll withholding), Labor Commission, Division of Industrial Accidents (workers compensation coverage), or The Department of Workforce Services (unemployment insurance tax requirements). These delinquencies must be cleared before your license can be renewed.
3. Get any background checks needed for new managers.
4. Have servers and managers take the Alcohol Server Training Class.
5. Sign the renewal application and have it notarized.
6. Have your insurance agent send us a certificate of general and liquor liability insurance .
7. If you mail in your renewal, remember to put the renewal payment in the envelope.

If you have a state beer license and do not receive a renewal packet or if you have any questions about the renewal process, please call the licensing and compliance division at 801-977-6800.♦

**The Alcoholic Beverage Control Commission usually meets once a month towards the end of each month. Meeting dates and times are subject to change.**

**The regular December meeting is scheduled for *Tuesday*, December 21<sup>st</sup> at 1:00 p.m.**

**The meetings are open to the public and are held in the board room at the DABC office building: 1625 S 900 W, Salt Lake City.**

## Communicate those Consumption Problems

By Tom Zdunich

Recently a DABC + COPS + CLUBS training was held that included management and servers from one of our Ogden licensees. During that training, some very interesting operational policies surfaced that we felt were worth passing along to other licensees.

This particular club pays a great deal of attention to transferring information about patrons and their alcohol consumption from one employee to another. The staff in this club holds daily shift change meetings that address issues about alcohol consumption and other concerns.

These meetings generally include the door person, roamers, servers and bartenders. It has been noted that since more emphasis has been placed on these meetings and the desired results, a number of the "problem drinkers" have stopped coming into the club.

Additionally, more attention has been

*Communication between members of staff about possible alcohol related problems can help stop a violation.*

placed on what goes on in the parking lot adjacent to the club.

Many of the potential problems that could work their way into the club are stopped at the entrance because of the communication that goes on between the "roamer" in the parking lot and the door person.

It is this club's perception that communication between members of staff about possible alcohol related problems can help stop a violation that could result in a suspension or possible loss of a private club license. ♦

A Guest Article from:



## Three Pronged Approach to Liquor Law Enforcement

by Sgt. Greg Willmore

*The mission of the Utah Department of Public Safety (DPS) is to provide a safe environment for the citizens of the state of Utah.*

Enforcement of state alcohol laws helps to ensure a safe environment for citizens. The Utah Department of Public Safety is initiating a three pronged approach to liquor law enforcement to include (1) a statewide approach, (2) criminal prosecution and administrative action, and (3) shared responsibility between licensees, DABC, and law enforcement.

The first prong is a statewide approach. As part of DPS the Utah Highway Patrol has over 300 troopers throughout the state. These

troopers will assist field agents with all aspects of liquor law enforcement, including inspections, investigations, and operations throughout the entire state.

Criminal, as well as administrative action, constitute the second prong. Enforcement action by DPS has mainly focused on administrative action (i.e. the referral of a licensee to DABC when a violation occurs). Violations of the Alcohol Control Act are prosecutable in criminal court. When an investigation conducted by DPS indicates that laws were violated by a licensee, especially when the result of the violation involves death or serious injury, criminal prosecution and administrative action will be taken against the licensee.

The third prong encourages a shared responsibility between licensees, DABC, and law enforcement. Together we will identify ways to ensure that the consumption and service of alcohol in Utah is done responsibly. We look forward to this partnership. ♦

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## Is a Violation Fund the Answer?

By Tom Zdunich

**H**ave you ever considered creating a violation fund to help cover fines for a violation of the liquor laws? Suppose the unthinkable happens and you find your organization faced with a fine and possible suspension of the liquor license.

Monthly contributions that were made throughout the year by your employees and

managers could help soften the blow. A mere \$5 monthly contribution per person could add up quickly.

Since most licensees do not receive violations throughout the year, the fund could be used to create a

positive impact on your operation.

Monthly contributions create a constant reminder to staff that attention needs to be paid to liquor laws and that it is a team effort that attains the goal of being violation free.

Additionally, there is the possibility of having a nice company party at the end of the year with the collected funds if no violations occur.♦

*It is a team effort that attains the goal of being violation free.*

## Checking Identification

by Keith Zuspan

**T**o prevent acceptance of fake or false identification, training of your staff to detect is extremely important. The days of crudely assembled, cut-and-paste IDs are gone replaced by the internet and desktop publishing technology. These new fake IDs are more difficult to detect than ever before. The servers should routinely examine all identification of customers who do not appear to be of legal drinking age.

In examining the license, the server should practice **TEARS**:

**Touch** the ID. Look for:

- > glue lines or bumpy surfaces by the picture or birth date.
- > pin holes on the surface.
- > thickness of an ID. If it's been re-laminated, it may be thicker.
- > any edges that can be lifted or peeled

**Examine**:

- > the photo and physical description. They should match the person handing you the ID.
- > the expiration date. You CANNOT accept an expired ID.
- > the birth date. Do your math. Are they 21?
- > whether or not the ID is a duplicate. If it is, ask for another form of ID.
- > the state logo. If it's partially missing or appears altered, the ID might be fake.
- > the hologram. Is it a genuine hologram or a basic hologram added to a fake ID?
- > the card's reverse side lettering. Some ID-makers neglect the back side of the ID. Look for blurred lettering or a cut out piece of paper.
- > whether it is an out-of-state license. Use an ID checking guide when you're

looking at an unfamiliar license. A Driver's License Booklet is available from your beer distributor.

**Ask:**

- > about basic items on the card, such as the birth date, middle initial, zip code, age, etc.
- > for a second form of ID. People with fakes rarely carry back-up identification.
- > them to complete and sign a Proof of Valid and True Identification form, if their age is still question, in accordance with Utah Code 32A-1-303 and 32A-1-304 (see box below).

**Return:**

- > the ID if you are satisfied that the proof of age is valid, you may permit the individual to be served.

**Stop** the process:

- > if you're not convinced, do not serve them.

*\*32A-1-303 (1) In addition to requesting the presentation of proof of age under Section 32A-1-302, any person authorized to sell or otherwise handle alcoholic beverages or products shall require any person whose age is in question to sign a statement of age on the form provided under Subsection (2) that includes:*

*(a) the date the statement of age is signed; and  
(b) the number assigned to the person's proof of age by the issuing authority.*

*(2) (a) At the request of a licensee, the commissioner of public safety shall provide to a licensee under this title the form for the statement of age described in Subsection (1).*

Note: A copy of this form is provided on the next page. If you would like to use this form, please make duplicate copies to have on hand at your establishment.♦

**PROOF OF VALID & TRUE IDENTIFICATION**

As per UCA 32A-1-303 and 32A-1-304

(Completed by Licensee)

FULL LEGAL

NAME: \_\_\_\_\_  
LAST FIRST MIDDLE TITLE

RESIDENCE ADDRESS: \_\_\_\_\_  
Number/Street/Apartment City State Zip Code

WEIGHT: \_\_\_\_\_ EYE COLOR: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_  
Month/Day/Year

HEIGHT: \_\_\_\_\_ FEET \_\_\_\_\_ INCHES SEX: \_\_\_\_\_ HAIR COLOR: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ or TAX ID NUMBER: \_\_\_\_\_

**TYPE OF IDENTIFICATION PRESENTED**

DRIVERS LICENSE NUMBER: \_\_\_\_\_ STATE: \_\_\_\_\_

IDENTIFICATION CARD: \_\_\_\_\_ STATE: \_\_\_\_\_

MILITARY IDENTIFICATION NUMBER: \_\_\_\_\_ BRANCH: \_\_\_\_\_

PASSPORT NUMBER: \_\_\_\_\_ ISSUING COUNTRY: \_\_\_\_\_

NO IDENTIFICATION HOWEVER APPEARS TO BE OVER 30 YEARS OF AGE: \_\_\_\_\_

I am currently \_\_\_\_\_ as of today's date  
Print current age

I \_\_\_\_\_, the undersigned, state I and the individual described above  
print full name  
on this form and that the information recorded herein is true and correct to the best of my knowledge. I am fully aware that if it is found that I knowingly provided false information on this form that I would be subject to criminal prosecution.

\_\_\_\_\_  
Signature of above described individual Date: \_\_\_\_\_  
Month/Day/Year

**WITNESS: If they have no identification and are in the company of someone who has proper identification that person may attest below as per UCA 32A-1-303**

I, \_\_\_\_\_, the undersigned do attest that the information recorded above on  
print full name  
this form is true and correct to the best of my knowledge. I am fully aware that if the above information is found to be knowingly false that I would be subject to criminal prosecution.

\_\_\_\_\_  
Signature of above stated witness Date: \_\_\_\_\_  
Month/Day/Year

Accepted by: \_\_\_\_\_ Title: \_\_\_\_\_  
Printed name of Liquor Licensee Employee

\_\_\_\_\_  
Signature of Liquor Licensee Employee Date: \_\_\_\_\_  
Month/Day/Year

This form shall be filed in alphabetical order and maintained for 3 years. This document is subject to examination by peace officers, representatives of State Bureau of Investigation and authorized employees of the Department of Alcoholic Beverage Control (UCA 32A-1-303)

## Let's Do Our Part

By Stephne Hanson

*How DO kids get the alcohol they drink?*

The UDABC has launched a public awareness campaign to raise the awareness among parents and the public about how kids get the alcohol they drink. By now you may have noticed the billboards throughout the Salt Lake valley about alcohol and kids. At first, the billboards read: *65% of kids*. After weeks of anticipation, the rest of the billboard message was finally revealed!! If you haven't seen the billboards, the message is: *"65% of kids get alcohol from family and friends. Let's work together to keep kids alcohol-free."*

The Century Council, a national not-for-profit organization is funded by America's leading distillers. The organization which is dedicated to fighting drunk driving and underage drinking, has

partnered with organizations to unveil the new public awareness campaign designated to prevent underage drinking and discourage attempts to purchase alcohol by minors.

The goal of this campaign is to raise the awareness among parents and the public about how 65% of kids get the alcohol they drink. Parents are the most influential persons in a child's decision not to drink alcohol.

A little known fact is that of the kids who drink, 65% say they get their alcohol from family and friends. 7% obtain alcohol at licensed establishments that don't check ID. 28% report other sources (obtaining fake IDs and the good ole' asking a stranger routine).

At the Utah Department of Alcoholic Beverage Control, we're in the alcohol business to control the sale/distribution of alcohol in a responsible manner. It is also the responsibility of licensees to play a role in the fight against lowering underage drinking in Utah. ♦

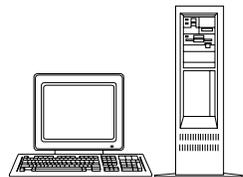
**65% of kids**  
**get alcohol from family and friends.**  
 Let's work together to keep kids alcohol-free.

## Information on the web

By Neil Cohen

The DABC website is [www.abc.utah.gov](http://www.abc.utah.gov). There you will find the following links:

- complete price list: [http://www.alcbev.state.ut.us/Products/products\\_main.html](http://www.alcbev.state.ut.us/Products/products_main.html)
- application packets: [http://www.alcbev.state.ut.us/license\\_permit/lic\\_app.html](http://www.alcbev.state.ut.us/license_permit/lic_app.html)
- server training information:  
[http://www.alcbev.state.ut.us/license\\_compliance/serv\\_train.html](http://www.alcbev.state.ut.us/license_compliance/serv_train.html)
- server training classes: <http://www.hsdsa.utah.gov/stateapprovedproviders.htm>
- how to look up a server's training record: <http://www.hsdsa.utah.gov/beverageserverreports.htm>
- liquor store locations: [http://www.abc.utah.gov/Stores/locate\\_store.html](http://www.abc.utah.gov/Stores/locate_store.html)
- past issues of this newsletter: [http://www.alcbev.state.ut.us/license\\_permit/newsletter\\_main.htm](http://www.alcbev.state.ut.us/license_permit/newsletter_main.htm)
- the DABC annual report: [http://www.alcbev.state.ut.us/Background/annual\\_rpt.html](http://www.alcbev.state.ut.us/Background/annual_rpt.html)
- links to other government sites: <http://www.alcbev.state.ut.us/links.html>



And lots more!! Jump on in and surf around!

## Violations and Penalties

by Chris Johnson

Below is a list of the most recent violations and penalties assessed for all licensees. Please review the violations listed below with your staff to prevent similar violations from occurring in your own establishment. As you can see by the number of alcoholic violations listed, law enforcement agencies have been very active. PLEASE BE CAREFUL!!

CL = Private Club Liquor  
RE = Full Service Restaurant  
SE = Single Event Permittees

OPB = On-Premise Beer  
RL = Limited Service Restaurant  
BW = Beer Wholesaler

TV = Taverns  
TB = Temporary Beer permittees  
\* = Prior Violation History

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
CL	Cruzrs Saloon, Salt Lake	Non-member entry & sale	Written warning
BE	La Macarena #2 Restaurant, Salt Lake	No ID badge	Fine of \$100.00 plus costs
RE	Paris, Salt Lake and Emanuel Labarek (employee)	Free-pouring	5 day suspension plus costs
CL	Brewski's, Ogden and Miles Moore (employee)	Sale to minors Non-member entry & sale	Fine of \$3,000.00 plus costs Dismissed
RL	Jumbo Buffet, Midvale	Sale to minors * No ID badge	12 day suspension plus costs
RE	Café Silvestre, Midvale	Unlocked storage	Written warning
RE	Café Terigo, Park City	Unlocked storage Liquor not affixed to metering system	Dismissed Fine of \$500.00 plus costs
TB	Event Services, Salt Lake	Sale to minors Sold more than 2 A/B to a person at one time Failure to maintain proof of age location at event Operational restrictions not posted	Fine of \$600.00 Fine of \$600.00 plus costs Written warning Written warning
CL	Flirts, Lehi and Stacy Olsen (employee)	Sale to intoxicated persons	12 day suspension plus costs
CL	Gatorz, Midvale	Giving away free drinks	Fine of \$250.00 plus costs
RE	Mi Ranchito, American Fork and Maria Ramirez (employee)	Sale to minors*	10 day suspension plus costs
TV	Radio City, Salt Lake and Sam Snow (employee)	Sale to minors	5 day suspension plus costs
RE	Red Lobster, Murray and Shelly Isom (employee)	Sale to minors	Fine of \$3,000.00 plus costs Fine of \$100.00 -employee
BE	Romero Restaurant, Pleasant Grove and Janeth Jimenez (employee)	Sale to minors No ID badge	5 day suspension plus costs Written warning
BE	The Tee Shoppe, Salt Lake and Kevin McCain (employee)	Sale to minors	5 day suspension plus costs
CL	Three Alarm, Midvale and Brett Bangerter and Alisha Jackson (employees)	Sale of liquor on election day Unlocked storage	Fine of \$200.00 plus costs
RE	Tgi Friday,s Provo and Kelsey Phelps (employee)	Sale to minors	5 day suspension plus costs
CL	Tip Top, Centerfield and Darin Roberts and Charles Allred (employees)	Sale to minors Allowing minors on the premises of a class "D" club Employee consuming on duty Non-member entry & sale	7 day suspension - ct. 1 & 2 Dismissed Written warning
CL	Utopia, Salt Lake	Non-member entry & sale	Fine of \$450.00 plus costs
BE	Winger's, North Logan	Liquor on the premises of an OPB licensee No ID badge	6 day suspension plus costs Written warning
BW	Carlson Distributing, Salt Lake	Sale of A/B to an unlicensed premise	Fine of \$500.00 plus costs
BW	General Distributing, Salt Lake	Sale of A/B to an unlicensed premise	Fine of \$500.00 plus costs
BW	M & M Distributing, Salt Lake	Sale of A/B to an unlicensed premise	Fine of \$500.00 plus costs
SE	Salt Lake City Arts Council, Salt Lake and Kristin Montaque (Employee)	Sale to minors Untrained server	Fine of \$500.00 plus costs Fine of \$75.00 Fine of \$50.00 - employee
CL	Naked, Salt Lake	Non-member entry & sale	Fine of \$250.00 plus costs
CL	Area 51, Salt Lake	Issuing visitor cards in excess of three weeks	Fine of \$500.00 plus costs
RL	Asuka Japanese Sushi & Steakhouse , Provo	Minor selling A/B Untrained server Warning sign not posted	6 day suspension plus costs Fine of \$250.00 Written warning
CL	Mother Urban's RAtskeller, Park City and Michael Kaplan (employee)	Sale of beer in excess of two liters	Fine of \$450.00 plus costs Fine of \$50.00 - employee
CL	Murphy's Bar & Grill, Salt Lake and Dennis Butler and Monique Montoya (employees)	Sale to minors * Minors on the premises of a class "D" club * Sold a visitor card to a minor *	Dismissed 5 day suspension and a fine of \$500.00 plus costs Dismissed
RE	Ruth's Diner, Salt Lake	Unlocked storage Open bottles not attached to a metering system	Fine of \$150.00 plus costs Fine of \$500.00
RL	Xiao Li, Salt Lake and Sonne Lim Bailey (employee)	Sale to minors	5 day suspension plus costs

## Liquor Ordering Procedures for Licensees

by Al Potvien

Liquor ordering for licensees can be made easy by following the established procedures which are found in the DABC rules (summarized below). You may purchase liquor, wine and heavy beer at either the club & restaurant store located at 1625 S 900 W, Salt Lake City (phone 801-975-4035) or at your local state liquor store or package agency. Remember, you are required to place your orders prior to picking them up to give the store adequate time to get the orders ready for you.

If you need information about on-line ordering or would like to open an on-line ordering account, call Greg Rogers at 801-977-6826.

### Liquor Order and Return Procedures

The following procedures shall be followed when a liquor licensee orders liquor from or returns liquor to any state liquor store, package agency, or department satellite warehouse:

(1) The licensee must place the order in advance to allow department personnel sufficient time to assemble the order. The licensee or employees of the licensee may not pick merchandise directly off the shelves of a state store or package agency to fill the licensee's order. The order shall include the business name of the licensee, department licensee number, and list the products ordered specifying each product by code number and quantity.

(2) The licensee shall allow at least four hours for department personnel to assemble the order for pick-up. When the order is complete, the licensee will be notified by phone and given the total cost of the order. The licensee may pay for the product in cash, company check or cashier's check.

(3) The licensee or the licensee's designee shall examine and sign for the order before it leaves the store, agency or satellite warehouse to verify that the product has been received.

(4) Merchandise shall be supplied to the licensee on request when it is available on a first come first serve basis. Discounted items and limited items may, at the discretion of the department, be provided to a licensee on an allocated basis.

(5)(a) Spirituous liquor may be returned by the licensee for the original purchase price only under the following conditions:

- (i) the bottle has not been opened;
- (ii) the seal remains intact;
- (iii) the label remains intact; and
- (iv) upon a showing of the original cash

register receipt.

(b) A restocking fee of 10% shall be assessed on the entire amount on any returned spirituous liquor order that exceeds \$1,000. All spirituous liquor returned that is based on a single purchase on a single cash register receipt must be returned at the same time at a single store, package agency, or satellite warehouse location.

(b) Wine and beer may not be returned by the licensee for the original purchase price except upon a showing that the product was spoiled or non-consumable.♦

On-line ordering is available for liquor licensees through the department website. Click on the "on-line services" link at [www.abc.utah.gov](http://www.abc.utah.gov) or enter the complete URL as: <http://javaweb.abc.state.ut.us/NASApp/orderweb/LLoginJsp.jsp>

## It's Chicha Time!!

By John Bryant

According to an article in the August 2, 2004, issue of the "State Capitals Newsletter", last July, a team of scientists from the Chicago Field Museum uncovered a brewery in the mountains of southern Peru where more than a 1,000 years ago members of the Wari Empire made an alcoholic beer-like drink called chicha.

This brewery was not a small operation. It appears that it could deliver the goods when dozens, if not hundreds, of Wari

decided they needed a "cool one". The brewery may be the oldest large-scale facility of its kind ever found in the Andes.

Scientists have long known the Wari made chicha, a spicy drink similar to beer, but nothing on the scale of the brewery they just found. Based on the brewing room that contained the pieces of several 10 to 15 gallon ceramic preparation vats, its estimated that this one facility could produce as many as a few thousand liters of chicha a day.

Chicha was not a difficult beverage to produce. The Wari would boil water and other ingredients such as fruits and grains. To make the drink spicy, pepper tree seeds were included in the recipe. To fuel the fire, llama and guinea pig dung was used in the fire pits. (I'm sure that added something to the flavor!)

It's not known if the Wari argued that chicha was "less filling" or "tastes great" but I'm sure they did enjoy it when it was "Chicha Time".♦

## Liquor Law News from Other States

by Earl Dorius

So often we hear how strict or unique the liquor laws are in Utah. However, I recently read the following news accounts from other states you might find interesting:

### Remember the Mini-bottle?

SOUTH CAROLINA was the last state to toast farewell to the minibottle. The state just passed a constitutional amendment allowing lawmakers to decide how drinks are served. The Legislature likely will pass a law next year to add larger free-pour bottles while keeping minibottles as an option.

The state was the only one in the nation to prohibit drinks from being poured from bottles larger than the 1.7 ounce minibottle. The vote was closer than a lot of people expected due to heavy lobbying by minibottle distributors, and a concern that there were no guidelines on how the Legislature will decide how much liquor can be served.

It was noted that the average free-pour drink has about an ounce of alcohol compared with the 1.7 ounce serving from a minibottle.

### Prohibition Lives?

WILLIAMSON, NEW YORK was until recent years one of a few towns in New York that prohibited the sale of alcohol. It allowed no

taverns, prohibited beer from being sold at convenience stores, and mandated that no beer or wine be sold in the restaurants.

Residents in 1996 voted to allow beer and wine coolers to be sold in grocery stores, but that was it. However, voters this year approved three propositions that allow restaurants to serve beer and wine, liquor stores to open, and farms to get winery licenses. Bars and taverns are still banned. One proposition that did not pass would have allowed the local raceway to serve beer.

Some residents say they will avoid restaurants that serve alcohol. The owner of Gus's Restaurant in Williamson promises he'll never serve alcohol despite the new law. One of his waitresses commented, "I grew up in this town and it's always been alcohol free. They sell it in grocery stores now and I think that's sufficient." Resident Lee Collier said, "I just don't think you need to change something that isn't broke. The younger ones favor the change, the old timers will struggle" with it.

### Bye Bye Brownbagging...

BRYAN COUNTY, OKLAHOMA - Twenty years after Oklahomans gave counties the option of liquor by the drink, Bryan County voters approved a proposition to allow state-licensed businesses, including restaurants, to sell liquor. Previously, county residents who wanted to drink liquor socially outside their homes had to join "bottle clubs" and bring their own liquor where only that person could drink the alcohol.

State voters allowed counties to choose whether to sell liquor by the drink in 1984. The next year, voters in 29 of the state's 77 counties approved drink proposals. Three more counties followed the year after that. Since then, enthusiasm to switch from bottle clubs to mixed drink sales has dampened.

Some counties probably will never vote on the issue, said H.T. Scott, assistant director of the state Alcohol Beverage Law Enforcement Commission. Although selling individual drinks is illegal in nearly half the state, 17 "bottle clubs" dot dry counties. ♦

FROM MINNESOTA:



## Keg Parties?

by Abe Kader

In 1990 the Utah Legislature restricted the possession of beer kegs because "keg parties" had become a public safety issue. Although kegs are a convenient and inexpensive way to buy and serve beer to a large group, they can also be a liability for the keg provider and the host of the party.

Law enforcement pointed out that keg parties often lead to under-aged drinking and over-consumption. As a result, the legislature passed a law stating, "A person may not purchase or possess beer in containers larger than two liters unless the person is a beer retailer authorized by this title to dispense beer on draft for consumption on the beer retailer's licensed premises." [32A-12-206(2)]

When a keg is sold or supplied to an unauthorized person, the seller could face a violation and penalties for the illegal sale and possibly for the consequences of under-aged

*Beer wholesalers and breweries may only sell kegs to licensed retailers. Licensed retailers may only sell beer in containers no larger than two liters.*

drinking and over-consumption.

For beer sold for on or off premise consumption, state law is very clear about the unlawful sale or supply of keg beer. It states that "A person may not sell, offer to sell, or otherwise furnish or supply beer to the general public in containers larger than two liters." [32A-12-206(1)]

Recently, two DABC licensees received violations for selling kegs to unauthorized persons. So remember, although beer wholesalers and breweries may sell kegs to beer retailers for dispensing on the retailer's premises, retailers may not sell beer to consumers in containers larger than two liters.♦

## Donating Alcoholic Products

By Abe Kader

Industry members such as wineries, beer wholesalers, and breweries, are often asked by various groups to sponsor their events. State law allows industry members to sponsor events, but with restrictions.

The main restriction is that industry members may not donate alcoholic products because the law states, "It is unlawful for any industry member, directly or indirectly or through an affiliate, to give away any of its alcoholic products to any person except

for testing, analysis, and sampling purposes by the department and local industry representative licensees to the extent authorized by this title." [32A-12-606(1)(a)]

Also, "An industry member may contribute to charitable, civic, religious, fraternal, educational, or community activities. A contribution described in (4)(g)(i) may not be given to influence a retailer in the selection of the alcoholic beverage products that may be sold at these activities and events." This *contribution*

allows industry members to donate money but not product. [32A-12-603(4)(g)(i)(ii)]

On occasion, the department receives calls from members of the public who say they have been offered a donation of free beer for their function.

So if you are an industry member and get asked for a donation to sponsor an event, you may continue your generosity and support. However, your donation may not include alcoholic beverage product.♦

*Are you an industry member who is asked for a donation?? Remember, if you're in the giving spirit, you may not give spirits (or beer, or wine...)*



**THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**  
PO BOX 30408  
SALT LAKE CITY UT 84130-0408

*Return Service Requested*

PRSRT STD  
U.S. POSTAGE  
**PAID**  
Salt Lake City, UT  
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