



In This Issue

Legislative Update	Page 1
Earl Dorius summarizes the 2005 session as it affects licensees.	
Private Club License Renewals	Page 2
Neil Cohen reviews key points to remember for renewing club licenses.	
Compliance Calling!	Page 3
Tom Zdunich rings up the reasons why we're on the line with renewal reminders.	
Private Club Food Requirement	Page 3
Stephne Hanson sets the table with this review of the club food requirement.	
Web Links	Page 4
Helpful hints for surfing our website.	
What are Wine Flights?	Page 4
Keith Zuspan clears the air.	
Banned in Alabama!	Page 4
John Bryant tells where the stars fell.	
Local Industry Representatives - A Reminder	Page 5
Earl Dorius covers important trade practice restrictions.	
Violation Spot Check	Page 5
Al Potvien points out the importance of attention to detail in avoiding certain violations.	
Kader's Kolumn	Page 6
Abe Kader explains server training and employee ID badge record keeping.	
Liquor Dispensing Systems - The Basics	Page 7
Neil Cohen updates the data.	
Violations and Penalties	Page 10
Chris Johnson provides a summary of adjudicated violations.	

2005 Legislative Update

By Earl Dorius

Alcohol-related bills that PASSED during the 2005 Legislative Session:

S.B. 65 (effective May 5th)

Banquet Licenses. Makes the on-premise banquet license a permanent feature of the Alcoholic Beverage Control Act for hotels, resorts, convention centers and sports centers. Banquet licensees will be required to provide the DABC with advance notice of scheduled banquets to allow for random inspections by the DABC and law enforcement agencies. (The commission will be proposing a rule to implement this reporting requirement.)

Military Purchases. Those authorized to make liquor purchases from a store or outlet on a military installation located in Utah may transport, have, and possess for personal household use and consumption up to two liters of spirituous liquor, wine or a combination of both, and up to one case of heavy beer that does not exceed 288 ounces. The products may not be for sale, resale, or gifting to another, and may not be consumed on the premises of a DABC licensee. Military installations include those under the control of the U.S. Department of Defense and the National Guard.

State Liquor Store & Package Agency Guidelines. Minors are not allowed on the premises of a state liquor store or package agency unless accompanied by an adult who is the minor's parent, legal guardian, or spouse. If a store or agency employee has reason to believe a minor is illegally on the premises, the employee may ask the suspected minor for proof of age, and ask any person who accompanies the suspected minor for proof of age, and proof of parental, guardianship or spousal relationship. If they do not provide the information, the employee shall refuse to sell liquor to either of them, and require them to leave the premises immediately.

S.B. 167 (effective May 5th)

False ID. Increases the penalty to a class A misdemeanor for knowingly using a false or altered driver license or state issued identification card to procure alcoholic beverages, gain admittance to places where alcoholic beverages are sold or consumed, or to obtain employment that may not be obtained by a minor.

The Alcoholic Beverage Control Commission meets once a month towards the end of each month. Meeting dates and times are subject to change. The April meeting is scheduled for April 28 at 1 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.

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2005 Legislative Update
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S.B. 227 (already in effect)

Driving License Privilege Cards. Unlike driver's licenses, these new driving privilege cards will not be acceptable as proof of age or identification to purchase liquor in state stores.

S.B. 42 (effective July 1st)

DUI. Refusal to submit to a chemical test (breath, blood, urine, or oral fluids) may result in revocation of the person's license and a five or ten year prohibition of the person driving with any measurable or detectable amount of alcohol depending on the person's prior driving history. Provides for impounding of vehicles in

certain situations.

H.B. 57 (effective May 5th)

Tourism Task Force. A legislative task force made up of five senators and 7 representatives was created to study ways to enhance tourism in Utah. The task force's report is due Nov. 30, 2005.

Alcohol-related bills that **DID NOT PASS** were:

S.B. 77 - Would have banned smoking in private clubs and taverns.

H.B. 379 - Would have allowed 19 and 20 year old entertainers to perform in clubs and taverns if accompanied by a parent or legal guardian.♦

Private Club License Renewals

by Neil Cohen

Club License renewal forms and fees are due on Tuesday, May 31, 2005. This is a month before the actual expiration date printed on your current license. We will mail the renewal packet to you by the end of April. If for some reason you do not receive this packet by the first week in May, please call us. The packets contain instructions as to what items must be completed and submitted in order to qualify for renewal of your license.

Renewal fees are based on the annual cost of liquor purchased from the DABC. Renewing licensees in

previous years have submitted this figure to the DABC on the "Form E - Financial Spreadsheet" under "cost of sales - liquor".

This is the figure that the DABC will use to determine renewal fees for this year. For a club renewing for the first time, the DABC will calculate the renewal fee based on the projected cost of liquor provided on the pro forma operating statement (sales and cost

projections) turned in with the club's original application.

Please remember, you must send in your completed renewal application by Tuesday, May 31st. This deadline is set by the legislature and we can not extend it. If you miss this deadline, you can not renew. You will have to re-apply for your club license. This means you will have to pay for an additional application fee (\$250) and initial license fee (\$2500). Please do not wait until the last minute.

You may either hand deliver (by 5:00pm on May 31st) the completed renewal or we will accept a postmark up to and including May

postmark on your envelope right there, in front of you, at the window, while you watch. If your local post office is closed, the Salt Lake airport post office is open 24 hours. As long as you get there before midnight on May 31st, you can get that date's postmark.

Finally, you will be notified 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 Department of Workforce Services (unemployment insurance tax requirements).

We will provide you with phone numbers and contacts in each agency. You are responsible for calling the appropriate agency directly to find out what they want you to do to clear up the delinquency. When you satisfy their requirements, they will send us a letter of good standing that will clear your account. Please take action to clear up the delinquency as soon as possible. Your license can not be renewed if the delinquency is not cleared.♦

The renewal fees are based on the following schedule:

<u>Your Gross Cost of Liquor</u>	<u>Your Renewal Fee</u>
under \$10,000	\$1000
\$10,000 to \$24,999	\$1250
\$25,000 to \$74,999	\$1750
\$75,000 or above	\$2250

31st as timely. You do *not* have to pay extra for overnight mail to get it here by May 31st. If for some reason you bring your renewal to the post office on May 31st, make sure the post office puts that day's

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Your phone number could *Save You Money*

By Tom Zdunich

License renewals are not fun for our licensees and we understand that most folks do not enjoy spending time filling out numerous forms, forking out money, and then going down to the post office to mail a renewal application. Keeping all of this in mind, imagine compounding the situation with added paperwork and additional charges simply because your application **was turned in late**. Unfortunately this situation occurs during each renewal cycle for some licensees.

Late renewals are handled as new applications. New applications require a completed application along with the application fees for that license type. In most cases, the fees incurred by applying for a new license are almost double that of the renewal fee for the same license type.

A "reminder call" will be made during the last week of the renewal period.

As a courtesy to our licensees, our compliance staff tries to contact each licensee during the renewal period by phone to remind them of the renewal deadline.

This "reminder call" has in the past, saved many of our licensees from enduring the loss of additional time and money. Typically, the "reminder call" will be made during the last week of the renewal period. Because we need to

maintain contact with our licensees during the renewal period and other times during the year, it is necessary for

you to make sure that our files reflect a working phone number and reliable contact **at all times during the licensing year.**

If you have had a mailing address change or a phone number change, don't wait until the renewal period to forward this information to the DABC. Keeping your phone number and mailing address current with this department can possibly save you time and money. ♦

Private Clubs and Food Availability

By Stephne Hanson



There have been questions recently regarding the availability of food in private clubs. Private clubs must have food available *at all times when alcoholic beverages are sold, served or consumed*. This applies to all classifications of clubs. If you are serving alcoholic beverages, you must have food available for your patrons. [see 32A-5-107 (19) U.C.A.]

It has always been a requirement for private clubs to have a variety of food which is *prepared* and *served* by the club in connection with dining accommodations. [32A-5-102 (f)] Calling out for food that is delivered to the club, food you go pick up and bring back to the club, food sold in vending machines, and packages of chips, nuts, and candy behind the bar are helpful options to have, but does not fulfill this requirement...why? The club must prepare the food and serve it to patrons in connection with some kind of dining accommodations. Here are some examples of what would be acceptable bar menu items.....

Frozen pizzas, hotdogs, burritos (microwaved or otherwise), sandwiches, hamburgers, salads, cheese and crackers, soup, chili, chips and salsa, and other similar food items.

It's been asked "why, if we are a social private club primarily for drinking do we need food available"?

Let's look at the intent of the law. When food is taken along with alcohol, it results in a lower, delayed blood alcohol concentration peak (the point of greatest intoxication).

Having food in your stomach may slow down the rate that the alcohol is absorbed, but it won't stop the absorption from happening, and it does help the body "buy time" to burn off (metabolize) the alcohol already absorbed. The larger the meal and closer in time between eating and drinking, the greater the reduction of peak alcohol concentration. For more information about food and alcohol absorption, see www.intox.com.

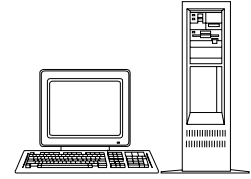
Private clubs must have food, prepared and served by the club, available at all times when alcoholic beverages are sold, served or consumed.

As always, training on the alcoholic beverage laws is available at no charge for licensees. Call us at the compliance division and your compliance specialist can tailor a training session to suit your needs.

Information on the web

By Neil Cohen

The DABC website is www.abc.utah.gov.



We now have a new link to a list of the following current licensees:

On Premise Beer/Private Club/Restaurant/Airport Lounge/Banquet Catering/Restaurant Limited/Tavern.

The lists are sorted by county: http://www.abc.utah.gov/license_permit/lic_perm_main.html

Other links:

- complete price list: http://www.alcbev.state.ut.us/Products/products_main.html
- application packets: 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
- 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
- past issues of this newsletter: 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
- links to other government sites: <http://www.alcbev.state.ut.us/links.html>

Wine Flights

By Keith Zuzpan

Bring your seat back to its full upright position and prepare for the wine flight.

Wine may be sold by the glass or an individual portion not to exceed five ounces per glass or individual portion. An individual portion of wine may be served to a patron in more than one glass as long as the total amount of wine does not exceed five ounces. This individual portion of wine is considered one alcoholic beverage. This clears the runway for the sale of "wine flights".

A wine flight is a grouping of two or three different wines, traditionally poured in one or two ounce portions and sold for one price as a "set." The great benefit of a wine flight is that a patron gets to sample a variety of wines or vintages from the same or contrasting wineries without having to pay the by-the-glass or bottle price for each. Wine flights educate and more importantly - they let the patron find out what they like.

Comparing wines is an excellent way to educate the palate. For example, explore what different

winemakers from different regions with entirely different philosophies have made of the same grape like a Chardonnay, or compare three blended wines and distinguish the flavors that make them unique or compare one winery's cabernet from two or three vintages.

Since an individual portion can be served in more than one glass, one alcoholic beverage could be a "flight" of three 1.5-ounce glasses of, as an example, 2002 Chardonnay from three different wineries. The total amount of this individual "portion" is 4.5 ounces, which is under the 5-ounce limit per portion. Remember, the total amount for any one "flight" must not exceed five ounces in any combination of glasses.

The fine print: A patron may have two alcoholic beverages in front of them, so it is permissible to have two 5-ounce portions or in this case two flights not exceeding five ounces each. But each flight must be priced separately on the wine list. Two flights may not be sold for one price.

If you or your patrons are interested in wine flights, we hope that with the above "flying lessons" you can be cleared for take-off. ♦

News from Other States

By John Bryant

Alabama Dumps its "Official State Whiskey"



Did you know that Alabama has an official state whiskey? Conecuh Ridge Whiskey has the distinction of being the official state whiskey of Alabama! But not for long. Apparently, the founder of Conecuh Ridge Distillery, Kenny May, recently pleaded guilty to misdemeanor charges involving illegal sales, including selling a case of whiskey to an 18 year-old girl. The Alabama Legislature is in the process of repealing Conecuh Ridge's designation as the official state whiskey, and according to Alabama Alcoholic Beverage Control Board member Emory Folmar: "Conecuh Ridge is out of business in Alabama."

Perhaps there is wisdom in sticking with safer designations like an official state flower, bird, gemstone, tree, vegetable, animal, mineral and the like. ♦

Reminder to Local Industry Representatives

Providing Alcoholic Beverages to Retailers & Conducting Promotional Tastings Are Illegal

By Earl Dorius

Over the last couple of years, we have issued many new licenses to industry representatives. Some are just starting in the business, and others work with large brokerage companies. We sense that some may not be totally versed in Utah's strict trade practice laws relating to providing samples and conducting tastings with retailers.

It has come to our attention that some industry members are providing alcoholic beverage samples to restaurant and club licensees as part of the promotion of their products. They mistakenly think that the practice is legal as long as they purchase the product from the state at full retail. We are also aware that some industry representatives and their employees are furnishing these products as part of promotional tastings with retailers. **THESE PRACTICES ARE ILLEGAL!**

PROVIDING PRODUCT. Under Utah's trade practice laws, it is unlawful for any industry member, directly or indirectly or through an affiliate, to induce a retailer to purchase any alcoholic beverages from the industry member or from the department to the exclusion in whole or in part of any competitor's products by furnishing, giving, or selling to the retailer any "thing of value." While there are exceptions to this general principle, none of them allow industry members to provide alcoholic beverage products to retailers. Utah Code 32A-12-603. Also, 32A-12-606 similarly provides that it is unlawful for any industry member to give away any of its alcoholic products to any person for promotional purposes. This does not preclude an industry member from serving its alcoholic products to others at private social functions hosted by the industry member in the member's home or elsewhere so long as the product is not served as part of a promotion of its products, or as a subterfuge to provide samples to others for product testing, analysis, or sampling purposes.

Thus, it is unlawful to promote products by providing retailers with alcoholic products regardless of whether they are purchased from the state at full retail, or are provided directly from the manufacturer or supplier from outside the state. Indeed, the latter situation would also violate Utah's unlawful importation, possession and shipping laws.

PROMOTIONAL TASTINGS. Promotional tastings where industry members provide the product are not allowed. Commission Rule R81-12-2 allows industry members to participate in tastings only in the context of educational seminars hosted by others. It precludes industry members from directly or indirectly hosting, organizing, or otherwise arranging for the seminar. Seminars may be hosted by retailers to educate themselves and their employees of the general qualities and characteristics of alcoholic beverages. However, they may not be used by industry members to introduce retailers to new products which are not presently listed by the department for sale in this state. Products must be purchased at full retail by the host of the seminar, and may not be directly or indirectly furnished or otherwise provided by the industry member.

PENALTIES. These laws apply to all industry members including local industry representatives and their employees and agents. The penalties for violating these laws include criminal sanctions, administrative fines, a suspension or revocation of your license, the removal of your products from the department's sales list, and a suspension of the department's purchase of your products. If you are criminally convicted of a trade practice offense, you may be disqualified from continuing to hold a license with the DABC. If your license is revoked, you may not reapply for a license for at least three years.

RETAILERS MAY ALSO BE LIABLE. Retailers could be criminally liable for successfully urging industry members to violate these laws. Under Utah's criminal code, if a retailer agrees with the industry member to engage in or cause the performance of conduct constituting a crime, and the retailer or industry member commits an overt act in pursuance of that crime, the retailer may be criminally culpable as a co-conspirator for the commission of that crime. Utah Code 76-4-21. Also, 32A-12-208 makes it unlawful for any person (including a retailer or the retailer's officer, manager, employee, or agent) directly or indirectly to take, or accept any alcoholic beverage or product from any other person, except to the extent allowed by the Alcoholic Beverage Control Act or rules of the commission.♦

Lockable Storage & Open Bottles of Liquor

By Al Potvien

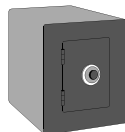
Recently there have been a number of club and restaurant licensees cited by liquor law enforcement for not having lockable storage for liquor, wine & heavy beer, and for not having dispensing systems or devices properly affixed to open bottles, or not labeling

bottles used as flavorings or for cooking.

Although we try to cover the storage/dispensing requirements with licensees during our premises

visits, liquor law enforcement is still finding far too many violations. These can result in fines and suspensions of your license.

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Lockable Storage and Open Bottles of Liquor

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To avoid receiving a possible violation, please be aware of the following:

1. Liquor / wine / heavy beer must remain in a lockable area and kept locked during hours when sales are not allowed (12:00 midnight to 12:00 noon for restaurants; 1:00 a.m. to 10:00 a.m. for clubs). Storage may include cabinets, refrigerated coolers, back rooms or closets. Just locking the doors to the licensed premises at the end of the business day is not considered proper "lockable storage". A licensee may open the liquor storage area during hours otherwise prohibited but only for the limited purpose of inventory, restocking, repairing and cleaning. Licensees shall designate all locations where alcoholic products are stored on the floor plan provided to the department for approval.
2. The law does not require the 3.2 beer storage to be locked. But if liquor / wine / heavy beer is stored in the same cooler, it would need to be locked separately within the cooler or relocated to a lockable area during those times when liquor / wine / heavy beer sales are not allowed.
3. If any liquor / wine / heavy beer bottles are used as a display and they contain alcohol, they must be placed in a lockable storage area during prohibited sales hours. Only empty bottles may be left out on display during prohibited sales hours.
4. Liquor used to dispense the primary one-ounce portion of a mixed drink must be poured through a calibrated and metered dispensing system or device.

Therefore, once a bottle has been opened, it must be affixed to a dispensing system or device. If a certain shape bottle won't work with an approved dispensing system or device, you may not use it as a primary pour. Measuring it with a shot glass is not allowed because there would be no metering. Likewise, if you don't have enough dispensing devices such as "clickers" or if one is broken, an open bottle may not be used as a primary pour.

5. Liquor bottles used as secondary flavorings for mixed drinks (in addition to the primary liquor poured through the dispensing system or device) must be plainly and conspicuously labeled "flavoring". This can be done with either an actual printed label or written on tape or on the bottle with a permanent marker. Flavorings may be placed in the same lockable storage with other alcoholic products.
6. If any alcohol is used for food preparation, it must be labeled "cooking flavoring". Such bottles are not required to be in lockable storage because they may be needed at any time for cooking. Cooking flavorings that are not properly marked would be a violation. Unmarked cooking flavorings that are not properly locked at unauthorized sales hours would be treated as unlocked beverage inventory.

The Compliance staff is always willing to review your operations and storage needs, so don't hesitate to give us a call if you have questions about these laws. We also offer free on-site training to you and your staff. ♦

Alcohol Server Training and ID Badge Records

By Abe Kader

It is very important that each licensee maintain alcohol server training and employee ID badge records. The Alcohol Server Training Seminar is designed to be an integral part of your efforts to serve alcohol responsibly.

Licensees must maintain a record of all employee badges assigned. This record must include the employee's full name, address and a driver's license or similar identification number.

When a DABC Compliance Specialist or a liquor enforcement agent visits your business, the server training and employee badge information should be available. This can be accomplished in three ways;

1. Servers, supervisors and managers can have their proof of

server training cards on them.

2. The employers can have copies of the alcohol server training cards/certificates on file on the premises.
3. The employer can keep an updated 'Form D' on file on the premises.

The DABC provides licensees with a blank "Form D" each year during the renewal process. Form D is designed to combine the server training and employee badge recordkeeping requirements on one form. If you would like a new form, please call us and we will send one to you.

The Alcohol Server Training Seminar is required for managers, bartenders, and servers of alcoholic

beverages. I recently completed one of the seminars so I know how valuable this training can be to help you reduce your liability and to help avoid getting a violation.

The seminar can be completed by attending a class. If you can't attend a class the seminar can be completed on line at www.learn2serve.com. The purpose of the seminar is to teach responsible alcohol service.

Selling alcohol to minors and over-serving adults are serious public safety issues that can be avoided. Managers, supervisors, and servers must complete the seminar within 30 days of commencing employment. They also must take and pass the seminar every three years.

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Alcohol Server Training and ID Badge Records

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Licensees and their employees have received violations recently because they failed to comply with these laws. Some of the violations included: untrained servers, expired server training card, no training within 30 days of employment, untrained managers, underage servers, no records of seminar attendance, and not

wearing the required ID badge.

The commission may suspend, revoke, or not renew your license if your managers, supervisors or servers fail to complete the seminar. Please see the list of approved seminars below.

Utah Division of Substance Abuse and Mental Health Approved Alcohol Server Educational Programs

Service Industries, Inc. (Serves Wasatch Front)
3438 Buck Circle
Salt Lake City, UT 84121
801-942-0742
Contact: Lou Bertram

The SMART Program (Statewide)
PO Box 71115
Salt Lake City, UT 84171
801-265-9435
Cell: 801-915-8609
Contact: Jerry Diana
For online training, visit www.smart-utah.com

The TIPS Program (Statewide)
Health Communications, Inc.
1101 Wilson Blvd STE 1700
Arlington, VA 22209
1-800-Get-Tips
www.gettips.com

SUU Southern Utah University
(Iron, Beaver, Garfield, Kane and Washington Counties)
Alcohol Training and Education Seminar
510 West 800 South
Cedar City, Utah 84720
435-586-2899
Contact: [Danny Shakespear](mailto:Danny.Shakespear@suu.edu)

BARCODE Spanish and English (Statewide)
9494 S Prosperity Rd
West Jordan, UT 84088
801-563-6300
Local contact:
Toni Jorgensen, Sysco Intermountain National

[TEAM Coalition, Inc.](http://www.teamcoalition.com)
1101 Wilson Blvd., STE 1700
Arlington VA 22209-2266
Contact:
[Jill Pepper](mailto:Jill.Pepper@teamcoalition.com), Executive Director 703-524-1200 x343

Learn2serve (Web-based Program)
Corporate Headquarters
200 Academy Dr. Ste 260
Austin, TX 78704
Contacts: [Albert J. Lilly](mailto:Albert.Lilly@learn2serve.com) [Rhiannon McElroy](mailto:Rhiannon.McElroy@learn2serve.com)
800-442-1149
Fax: 512-441-1811
www.learn2serve.com

Dixie State College Alcohol Handlers Seminar
225 South 700 East
St. George, UT 84770
(435) 652-7515
Contact: Don Reid

Liquor Dispensing Systems - The Basics

by Neil Cohen

Primary liquors are required to be dispensed through a calibrated and metered dispensing system. All dispensing systems that are approved for use in Utah must, at a minimum, do two things:

- 1 - dispense liquor in a size not to exceed a one ounce portion, and
- 2 - count (meter) the number of portions dispensed.

Currently, there are 5 types of approved systems that do this. Some of the systems can be interfaced with a computer and/or P.O.S. systems. The following is a description of each type.

1. Remote liquor dispensing guns with mechanical (number wheels) or computerized meters. These "hose-and-gun" systems usually have a liquor bottle

THE FOOD AND BEVERAGE INDUSTRY IS NEVER STATIC. LICENSEES CHANGE, MANAGEMENT CHANGES, AND EMPLOYEES CHANGE. FOR THIS REASON, WE WILL PERIODICALLY UPDATE AND RE-PUBLISH IMPORTANT ARTICLES THAT HAVE APPEARED IN PAST EDITIONS OF THE NEWSLETTER.

storage area either in a remote locked storage room or in a cabinet under the bar. The liquor bottles are connected to the guns by runs of hoses or tubes. Liquor is dispensed by pressing a button on the gun head. The liquor is pushed through the lines by either a compressed air time and pressure system or a positive displacement pump.

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Liquor Dispensing Systems - The Basics

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Considerations: The guns can dispense a limited number of brands of liquor based on the capacity of the gun head. This can be anywhere from 7 to 32 brands. To expand the number of brands available, some systems allow more than one gun, each with different brands, to be hooked up to one system. The guest does not

see the bottle or brand of liquor when a drink is poured. **These systems are very fast, and are designed to handle the demands of a busy bar.** Special considerations may be needed to calibrate the dispensing of thicker liquors. This system requires an electrical power source.



2. Ring activated systems use specially coded pour spouts that are inserted into liquor bottles that are stored at the bar. The spouts will not dispense product unless they are used with an activator ring or collar. The bartender slips the bottle (with the spout inserted) into

the ring and pours the drink with a conventional pouring motion, turning the bottle completely upside down. The portion size is set by a master control that opens the spout for a certain amount of time and the liquor flows out by gravity.

The meters keep track of how many times each spout code was used. The spouts are coded to correspond to price levels, i.e wells, calls, premiums, super premiums, etc. Wines poured by the glass can also be dispensed with this system by assigning a coded pour spout and setting the portion size to five ounces. These activator systems can handle anywhere from two price levels (two meters) to 47 price levels (47 meters). At the higher number of levels, it is possible to use one spout per brand.



Considerations: **These systems allow an unlimited number of brands to be poured.** The guest sees the drink brand poured from the bottle. The bartender works in a conventional manner, selecting bottles and actually "pouring". Variations in the

number of drinks poured versus the number of drinks sold (rung up) are traced back to price groups, rather than by brand. Models that can handle a larger number of pour spouts (up to 47) may be used to track dispensing by brand. **A dedicated pour spout may be needed for the dispensing of thicker liquors.** This system requires an electrical power source.



3. Upside down mechanical dispensers are the type that have been used in England and other foreign countries for years. Bottles connected to these dispensing heads are stored upside down on a rack. Liquor fills a clear pre-measured chamber and is dispensed by gravity. The bartender either pulls or pushes a lever with his/her finger while holding the glass under the chamber, or pushes the glass up on a plunger that releases the liquor. Each push or pull dispenses product and advances the meter in each head.

Considerations: One head is required for each brand dispensed. These dispensers are called "optic spirit measures" and are not common in the U.S. Substantial storage space is required if a large number of brands are used. Depending on the racking placement, guests may or may not see the brand being poured. Since the chamber is of a fixed volume and **the liquor flows out by gravity, no special consideration is needed for thicker liquors.** This mechanical system requires no electricity.



4. Bottle top insertable spouts with mechanical meters are connected to bottles and stored in a conventional manner at the bar. These metered pour spouts have a built in meter. The dispensing chamber holds an ounce of liquor. The bartender makes a conventional pouring motion by lifting the bottle over the glass and dispenses the liquor by squeezing and releasing a lever. The meter is advanced with each squeeze of the lever. **These devices make a clicking sound when squeezed and have been nicknamed "clickers".**

Considerations: One head is required for each brand dispensed. Substantial storage space is required if a large number of brands are used. **Since the bartender pours in a conventional manner, guests seated at the bar may see the brand being poured.** The chamber is of a fixed volume and the liquor flows out by gravity, so no special consideration is needed for thicker liquors. This mechanical system requires no electricity.



5. Computerized dispensing/cocktailing systems are a console with a button for each mixed drink or cocktail served. Over 100 beverage products can be attached to the system. At the touch of a button, the system dispenses the liquor or liquors, and the mixers required for a specific item. The server merely has to garnish the drink. This "cocktailing" feature requires a sophisticated computer to track the ounces dispensed.

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Liquor Dispensing Systems - The Basics

...Continued from the previous page

Usually the system is tied to a "Point-of-Sale System" that forces the drink to be rung up before it is dispensed. Some advanced "hose-and-gun" systems can be configured to provide a "cocktailing" capability.

Considerations: These are very advanced systems that provide a great deal of reporting information to the operator. They are fast and provide a high degree of

control. Bartenders do not need to have a lot of mixology knowledge to work in a bar that has this system. Liquor is stored in a remote locked room. The guest does not see the brand being poured. Special considerations may be needed to calibrate the dispensing of thicker liquors. This system requires an electrical power source.

Below is a list of all systems that are approved for use. The list is arranged by system type and has the supplier or manufacturer's name, address and phone number.

System Name Manufacturer or Supplier

Remote Liquor Storage Dispensing Guns or Towers with Mechanical or Computerized Meters

Berg Company	Warren Bates		Riverdale, UT	801-393-7671
Beverage Systems Inc., EDI	Sid Armstrong	2241 Harvestland Dr	Salt Lake City UT 84119	801-450-4657
Carse Liquor Systems		1630 Foothill Dr.	Boulder City, NV 89005	702-293-3645
Easybar	Gorham Nicol	19799 SW 95th Ave Suite A	Tualitin, OR 97062	503-624-6744
K-Way Products		759 Commercial St.	Mt. Carroll, IL 61053	800-622-9163
Sentry BevCon		16630 Koala Rd	Adelanto, CA 92301	800-661-3003
Sprint Enterprises Inc.	Sid Armstrong	2241 Harvestland Dr	Salt Lake City UT 84119	801-450-4657
TMI (Tru Measure, Inc.)	Bob Ott	59 Lee Rd.	Barrington, NH 03825	603-664-2339
Utah Liquor Systems	Dale Kennett	9283 So Jean Drive	Sandy, UT 84070	801-561-1996
Wayco-Speedy Bar	Nicholas Johnson	726 Angus Suite E	Orange CA 92668	714-633-4700
Wunder-bar		790 Eubanks Dr	Vacaville, CA 95688	800-722-6738

Ring Activated Systems

Auper Electronic Controls	Juice Products	3992 So Airport Rd	Ogden, UT 84405	801-621-4876
Azbar Inc.	Robert Blouin	395 rue Berube	Vanier, Que, Canada	800-267-3672
Berg Company	Warren Bates		Riverdale, UT	801-393-7671
Easybar	Gorham Nicol	19799 SW 95th Ave Suite A	Tualitin, OR 97062	503-624-6744
Liquor Leasing and Service	Dale Kennett	9283 S Jean Dr	Sandy, UT 84070	801-561-1996
Wunderbar Cyclone	Juice Products	3992 So Airport Rd	Ogden, UT 84405	801-621-4876

Upside down Mechanical Dispensers

Autobar Systems of New Jersey		164 Monmouth St.	Red Bank, NJ	732-842-3030
Optic Spirit Measure, AutoFlo	Precision Pours	12837 Industrial Pk Blvd	Plymouth, MN	800-549-4491

Bottle Top Insertable Spouts with Mechanical Meters (Clickers)

Inventory Control Systems Inc.	Renda Davis	1907 Zachary Dr	Derby, KS 67037	800-910-4642
Phillipine Trading Co Ltd	Dale Kennett	9283 S Jean Dr	Sandy, UT 84070	801-561-1996

Under Counter/Tower, other Computerized Systems

Easybar	Gorham Nicol	19799 SW 95th Ave Suite A	Tualitin, OR 97062	503-624-6744
Wunder-bar		790 Eubanks Dr	Vacaville, CA 95688	707-448-5151
Yensun Technology (Jager Machine)		Originally approved, but no longer available		801-886-0096

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

OPB = On-Premise Beer

* = Prior Violation History

RE = Full Service Restaurant

RL = Limited Service Restaurant

TB = Temporary Beer permittees

SE = Single Event Permittees

BW = Beer Wholesaler

TV = Taverns

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
RL	Asuka Japanese Sushi, Provo and Tommy Chi and Kristina M Erskine (employees)	1. Sale to minors	12 day license suspension plus costs*
CL	Club Sound, Salt Lake	1. Non-member entry & sale 2. Failure to assess \$4.00 fee for visitor card	1. 11 day license suspension plus costs*
CL	Club Vegas, Salt Lake	1. Non-member entry & sale 2. Failure to assess \$4.00 fee for visitor card	1. Surrender of the license 2. Fine of \$250.00 plus costs
CL	Cruzrs Saloon, Salt Lake and Chadwick Bradshaw (employee)	1. Sale to minors 2. Non-member entry & sale	1. 6 day license suspension 2. Fine of \$750.00 plus costs*
RE	La Casita Blanca, Orem and Blanca Holt and Victor Velasquo (employee)	1. Sale of more than 1 spirituous drink to a patron at one time 2. No ID badge	1. Fine of \$250.00 plus costs 2. Written warning
RL	Mimi's Café, Orem and Sara Bryson (employee)	1. Sale to minors	1. Fine of \$3,000.00 plus costs
CL	Murphy's Bar & Grill, Salt Lake and Jessica Montoya (employee)	1. Employee consuming on duty 2. Giving away free drinks 3. Failure to charge for visitor cards	1. 6 day license suspension 2. Fine of \$250.00 plus costs 3. Written warning
CL	PJ's, Salt Lake and Brenda Boss and Jamie Ceneca (employees)	1. Employee consuming on duty 2. Free-pouring 3. No flavoring labels 4. Discounting drinks 5. Memberships for less than \$4.00 6. NO ID badge	1. 6 day license suspension 2. 6 day license suspension 3. Fine of \$500.00 plus costs 4. Fine of \$300.00 5. Fine of \$100.00 6. Written warning
RE	Rio Grande Café, Salt Lake and Richard M Holt (employee)	1. Sale to minors	1. Fine of \$3,000.00 plus costs
CL	Rumba Club, Taylorsville and Tony Ochoa, Jose Lopez, Sarah Quintana and Mario Zamora (employees)	1. Sale to intoxicated persons 2. Non-member entry & sale	1. 12 day license suspension 2. Fine of \$250.00 plus costs
RE	Carrabba's, Orem and Shawn P Murphy (employee)	1. Sale to minors	1. Fine of \$3,000.00 plus costs
RE	Chili's, St. George and Christine Weidner (employee)	1. Sale to minors	1. Fine of \$3,000.00 plus costs
RL	Noodles & Co., Salt Lake and Lisa Benson (employee)	1. Sale to minors 2. NO ID badge	1. Fine of \$3,000.00 plus costs 2. Written warning
RE	P.F. Chang's China Bistro, Orem and James D Santini (employees)	1. Sale to minors	1. Fine of \$3,000.00 plus costs

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
CL	Brickhouse, Salt Lake	1. Unlocked storage	1. Written warning
RL	Charlie Chows Dragon Grill, Salt Lake and David Schell (employee)	1. Unlocked storage 2. Expired server training card	1. Fine of \$150.00 plus costs 2. Written warning
CL	Club Manhattan, Salt Lake and James E Kein and Dean A Stroud (employees)	1. Sale to minors 2. Minors on the premises of a class "D" club 3. Non-member entry & sale	Merged counts 1 & 2. 5 day license suspension and a fine of \$2,500.00 plus costs 3. Fine of \$250.00
CL	El Mirador, Ogden and Arnoldo Miranda (employee)	1. Allowing patrons to serve themselves 2. No ID badge	1. 12 day license suspension 2. Written warning
BE	Fat Cats, Salt Lake and Nathan Wilkins (employee)	1. Sale to minors	1. 5 day license suspension plus costs
CL	Green Whale Club & Grill, Ogden	1. Minors on the premises of a class "D" club 2. Non-member entry & sale	1. Fine of \$500.00 plus costs 2. Dismissed
CL	Heads Up, Salt Lake and Michael Aaron (employee)	1. Minors on the premises of a class "D" club	1. 5 day license suspension plus costs
RE	Lupita's Mexican Food, Cedar City and Marcelo D Paredes (employee)	1. Sale to minors 2. Minor selling to minors 3. Untrained server	1. 6 day license suspension Merged counts 2 & 3. 6 day license suspension plus costs
RE	Old Spaghetti Factory, Salt Lake and Bryce Pearson (employee)	1. More than 2 A/B at a time 2. Untrained server	1. Fine of \$150.00 2. Fine of \$150.00 plus costs
RL	Pagoda, Salt Lake	1. Possession of liquor not purchased from state 2. Warning sign not posted	1. 10 day license suspension plus costs 2. Written warning
RE	Rodizio Grill, Salt Lake	1. Open bottles not affixed to dispensing system 2. Improper labeling	Merged counts 1 & 2. Fine of \$650.00 plus costs
RE	Aristo's Greek Restaurant, Salt Lake	1. Unlocked storage	1. Written warning
CL	Beaver Creek Inn, Kamas	1. Sale to intoxicated persons	1. 12 day license suspension*
CL	Big Easy, Lehi	1. Non-member entry & sale	1. Written warning
RL	Café Sha, Sha, Salt Lake	1. Unlocked storage 2. No dispensing records 3. Untrained server 4. No ID badge	1. Fine of \$150.00 2. Fine of \$250.00 3. Fine of \$100.00 plus costs 4. Written warning
RL	Cedars of Lebanon, Salt Lake	1. Unlocked storage 2. Untrained server 3. No ID badge	1. Fine of \$150.00 2. Fine of \$100.00 plus costs 3. Written warning
RE	Fresco Italian Café, Salt Lake	1. Open bottles not affixed to dispensing system 2. Unlocked storage	1. Fine of \$500.00 2. Dismissed
BE	Mariscos Las Islitas, West Valley	1. Sale to minors	1. 5 day license suspension plus costs
CL	Standard, Holladay and Sean G Allen and Bradeson M Brinton (employees)	1. Sale to minors 2. Minors on the premises of a class "D" club 3. Sold a visitor card to a minor	All counts – surrender of the private club license plus costs
CL	Main Street Monkey Bar, Park City	1. Allowing lewd acts 2. Allowing lewd acts 3. Allowing lewd acts 4. Giving false information on DABC application/renewal forms 5. Non-member entry & sale 6. No ID badge	1 & 2. 20 day license suspension 3. 12 day license suspension 4. Dismissed 5. Fine of \$250.00 plus costs 6. Written warning



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