
ENGROSSED SENATE BILL 5751

State of Washington

60th Legislature

2008 Regular Session

By Senators Kohl-Welles, Hewitt and Rockefeller

Read first time 01/31/2007. Referred to Committee on Labor,
Commerce, Research & Development.

1 AN ACT Relating to wine and beer tasting; creating a new section;
2 and providing an expiration date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The liquor control board shall establish
5 a pilot project to allow beer and wine tasting in grocery stores
6 licensed under RCW 66.24.360.

7 (a) The pilot project shall consist of thirty locations with at
8 least six tastings to be conducted at each location between October 1,
9 2008, and September 30, 2009. However, no licensee may hold more than
10 one tasting per month during the project period.

11 (b) The pilot project locations shall be determined by the board
12 and must be equally allocated between independently owned grocery
13 stores and national chain grocery stores.

14 (c) Licensees chosen to participate in the pilot project must meet
15 the following criteria:

16 (i) Their primary activity is the retail sale of grocery products
17 for off-premises consumption; and

18 (ii) They operate a fully enclosed retail area encompassing at
19 least nine thousand square feet.

1 (d) Tasting activities of licensees under this section are subject
2 to RCW 66.28.010 and 66.28.040 and the cost of sampling may not be
3 borne, directly or indirectly, by any liquor manufacturer, importer, or
4 distributor.

5 (e) A "tasting" may be conducted under the following conditions:

6 (i) Each sample must be two ounces or less, up to a total of four
7 ounces, per customer;

8 (ii) No more than one sample of any single brand and type of beer
9 or wine may be provided to a customer during any one visit to the
10 premises; and

11 (iii) The licensee must have food available for the tasting
12 participants.

13 (f) The service area and facilities must be located within the
14 licensee's fully enclosed retail area, and must be of a size and design
15 such that the licensee can observe and control persons in the area to
16 ensure that persons under twenty-one years of age and obviously
17 intoxicated persons cannot possess or consume alcohol. Customers must
18 remain in the service area while consuming samples.

19 (g) The licensee may only advertise the tasting event within the
20 store.

21 (h) All other criteria needed to establish and monitor the pilot
22 project shall be determined by the board.

23 (i) The board shall report on the pilot project to the appropriate
24 committees of the legislature by December 1, 2009.

25 (2) The liquor control board shall adopt rules to implement this
26 section. The rules must include a requirement that employees of
27 licensees under RCW 66.24.360 and 66.24.371 who are involved in tasting
28 activities complete a board-approved limited alcohol server training
29 program that addresses only those subjects reasonably related to the
30 licensees' tasting activities.

31 NEW SECTION. **Sec. 2.** This act expires December 1, 2009.

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