

WAC 314-02-115 Requirements for licensees that sell keg beer.

Consistent with RCW 66.28.200 and 66.28.210:

(1)(a) Any licensee, except for a domestic brewery or microbrewery selling beer of its own production as provided in subsection (3) of this section, who sells beer for off-premises consumption in kegs or other containers holding four or more gallons of beer must require the purchaser to provide at least one piece of identification (see WAC 314-11-025 for acceptable forms of identification); and

(b) The licensee or employee and purchaser must fill out a keg registration form, provided by the board, which contains:

(i) The name and address of the purchaser;

(ii) The type and number of the identification presented by the purchaser;

(iii) The address where the beer will be consumed and the date on which it will be consumed; and

(iv) A sworn statement, signed by the purchaser under penalty of perjury, that:

(A) The purchaser is at least twenty-one years of age;

(B) The purchaser will not allow persons under twenty-one years of age to consume the beer purchased;

(C) The purchaser will not remove or obliterate the keg registration form affixed to the keg or allow it to be removed or obliterated; and

(D) The address listed in (b)(iii) of this subsection is the true and correct address at which the beer will be consumed or physically located.

(2) It is the licensee's or employee's responsibility to distribute the properly completed keg registration form as follows:

(a) One copy to the purchaser;

(b) One copy affixed to the keg or container holding four gallons or more of beer, prior to it leaving the licensed premises; and

(c) One copy must be retained on the licensed premises for one year, available for inspection and copying by any law enforcement officer.

(3) Domestic breweries and microbreweries and their licensed retail locations are not subject to the keg registration and container identification requirements when selling kegs or other containers containing four gallons or more of beer of the licensee's own production, and purchasers of these kegs or containers are not subject to the related purchaser requirements, except that the purchaser must be at least twenty-one years of age and must not allow persons under twenty-one years of age to consume any beer purchased.

(4) Except in cases involving sales by domestic breweries and microbreweries of beer of the licensee's own production as described in subsection (3) of this section, possession of a keg or other container which holds four gallons or more of beer without a properly completed keg registration form affixed to it, other than on the licensee's premises, will be a violation of this title.

[Statutory Authority: RCW 66.08.030, 66.24.240, 66.24.244, 66.28.200, 66.28.210, and 66.28.220. WSR 21-03-095, § 314-02-115, filed 1/20/21, effective 2/20/21. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-115, filed 3/15/00, effective 4/15/00.]