

(a) There is an addition, deletion or any change of person or persons set forth on the certificate of trade name as those conducting or intending to conduct business under the registered trade name: *Provided*, That this subsection (3) does not apply to the legal name change of an individual for which a certificate of amendment is required under (1) (a) above;

(b) There is a change in the wording or spelling of the registered trade name. [Statutory Authority: 1979 1st ex.s. c 22 § 3. 79-09-123 (Order 551-DOL), § 308-300-240, filed 9/5/79.]

**WAC 308-300-250 Forms.** The department shall provide forms for certificates of trade name, supplemental pages, and certificates of amendment/notice of cancellation which may be used to make the required filings and which will be available from the following:

(1) Business License Center of the department of licensing;

(2) Offices of county clerks;

(3) Persons or institutions, public or private, that request forms for public distribution; and

(4) Other distribution points as the director deems appropriate. [Statutory Authority: 1979 1st ex.s. c 22 § 3. 79-09-123 (Order 551-DOL), § 308-300-250, filed 9/5/79.]

**WAC 308-300-260 Records--Transfer from counties to department.** (1) Trade name records filed with the county clerks prior to the 1979 act, related files, and cross-referenced materials will be transferred to the department no later than October 1, 1979.

(2) Once the records are transferred, the director shall provide for preservation, storage, and access of such records. [Statutory Authority: 1979 1st ex.s. c 22 § 3. 79-09-123 (Order 551-DOL), § 308-300-260, filed 9/5/79.]

**WAC 308-300-270 Inspection of trade name files encouraged.** Each person contemplating use of a trade name is encouraged to make or cause to make an inspection of the trade name files located in the Olympia office of the department of licensing to determine whether the proposed trade name is similar to any already registered. [Statutory Authority: 1979 1st ex.s. c 22 § 3. 79-09-123 (Order 551-DOL), § 308-300-270, filed 9/5/79.]

**WAC 308-300-280 Fees and refunds.** (1) The department shall charge and collect:

(a) Five dollars for initial filing of certificate of trade name;

(b) Two dollars for each certificate of amendment;

(c) Twenty-five cents per page for copies of the document(s);

(d) Two dollars for each letter of certification to accompany copies of the document(s).

(2) All fees remitted to the department shall be deposited with the state treasurer to the general fund.

(3) No refund of less than five dollars shall be made except upon written request by the registrant. [Statutory

Authority: 1979 1st ex.s. c 22 § 3. 79-09-123 (Order 551-DOL), § 308-300-280, filed 9/5/79.]

**WAC 308-300-290 Cross-referencing and public access.** The department shall maintain an index of true and real names cross-referenced to trade names and an index of trade names cross-referenced to true and real names, as set forth on certificates of trade name. [Statutory Authority: 1979 1st ex.s. c 22 § 3. 79-09-123 (Order 551-DOL), § 308-300-290, filed 9/5/79.]

## Title 314 WAC LIQUOR CONTROL BOARD

### CHAPTERS

314-16	Retail licensees.
314-20	Beer--Brewers, holders, importers, etc.
314-24	Domestic wineries and domestic wine wholesalers.
314-52	Advertising.
314-62	Liquor law pamphlets and annual reports.

### Chapter 314-16 WAC RETAIL LICENSEES

#### WAC

314-16-190 Class H restaurant--Qualifications. (Rule 35).

**WAC 314-16-190 Class H restaurant--Qualifications. (Rule 35).** (1) All restaurant applicants for a Class H license, in addition to furnishing all requested material and information relating to the premises applied for and their personal qualifications, shall establish to the satisfaction of the board that the premises will commence as, and continue to operate as, a bona fide restaurant as required by RCW 66.24.400 and 66.24.410(2).

(2) A restaurant applicant for a Class H license shall be subject to the following requirements which are conditions precedent to action by the board on the application:

(a) The applicant shall furnish to the board a detailed blueprint of the entire premises to be licensed drawn to scale of one-fourth inch to one foot. This blueprint shall include the kitchen equipment layout plus a detailed listing of the kitchen equipment and its approximate value.

(b) Prior to delivery of the license the board shall receive a verification from its enforcement officer, based upon an inspection of the premises, that the kitchen equipment designated in paragraph (a) above is in place and is operational.

(3) In any case where the board has a concern as to the applicant's qualifications, based on the applicant's experience; the adequacy of the proposed facility; the proposed method of operation; the applicant's financial stability; or for any other good and sufficient reason, the

board may require such applicant to submit figures reflecting operation as a restaurant for a period to be designated by the board. The submission of these operating figures shall be a condition precedent to the board making a decision on a license application. Any applicant required to submit operating figures for a period designated by the board, shall not thereby be deemed to have acquired a vested right to have the license applied for issued merely because the requested figures have been submitted.

(4) To demonstrate to the satisfaction of the board that a Class H restaurant as defined in RCW 66.24.410(2) is maintained in a substantial manner as a place for preparing, cooking and serving of complete meals, a Class H restaurant shall maintain daily average gross food sales of one hundred dollars or more, and such food sales shall amount to forty percent or more of the restaurant's total food-liquor sales.

(5) Each Class H restaurant licensee shall submit semi-annual reports on forms provided by the board, showing its gross food and liquor sales. If for two successive semi-annual reports, a Class H restaurant's daily average gross food sales are less than one hundred dollars, or its food sales are less than forty percent of its total food-liquor sales, such restaurant shall be ineligible to retain its Class H license.

(6) The restaurant area of any Class H restaurant shall be open to the public for service of complete meals at least five days a week, unless otherwise authorized in writing by the board to alleviate demonstrated hardship, and such service of complete meals shall be available to the public for five hours a day on any day liquor is offered for sale, service or consumption, unless otherwise authorized in writing by the board to alleviate demonstrated hardship. At all other times when the restaurant area is not open for service of complete meals, but liquor is offered for sale, service or consumption on the licensed premises, sandwiches and/or short orders of food shall be available for sale to the public.

(7) In the event a Class H restaurant licensee shall fail to comply with any of the foregoing requirements, and such licensee has been notified that they will not be eligible to retain its Class H license, such licensee may petition the board setting forth unusual, extenuating and mitigating circumstances for the failure to comply and the board may consider such reasons and may grant an extension of the Class H license under such terms and conditions as the board determines are in the best interest of the public. [Statutory Authority: RCW 66.08.030, 66.98.070 and Title 34 RCW. 78-07-002 (Order 66, Resolution 75), § 314-16-190, filed 6/9/78; Order 55, § 314-16-190, filed 5/31/77, effective 7/1/77; Order 52, § 314-16-190, filed 1/18/77, effective 2/18/77.]

#### Chapter 314-20 WAC

#### BEER--BREWERS, HOLDERS, IMPORTERS, ETC.

##### WAC

314-20-030 Packages--Classification (Rule 39).  
314-20-100 Beer wholesale price posting (Rule 49).

**WAC 314-20-030 Packages--Classification (Rule 39).** No manufacturer, wholesaler or importer shall sell beer for use in the state of Washington in any packages or containers differing in sizes and capacities from the following classifications:

Barrels—Whole barrels, 1/2 barrels, 1/4 barrels.  
Packages—24/7 oz., 32/7 oz., 35/7 oz., 36/7 oz., 48/7 oz.  
12/8 oz., 24/8 oz., 35/8 oz., 36/8 oz., 48/8 oz.  
12/11 oz., 24/11 oz., 48/11 oz.  
12/12 oz., 24/12 oz., 48/12 oz.  
12/15 oz., 24/15 oz., 48/15 oz.  
12/16 oz., 24/16 oz., 48/16 oz.  
12/24 oz.  
12/32 oz., 24/32 oz.

*Provided, however,* That beer manufactured in a foreign country may be imported and sold within the state in package and case sizes customarily used in such foreign country, and which have been approved for marketing within the United States by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department. [Statutory Authority: RCW 66.08.030, 66.98.070, & Title 34 RCW. 78-02-031 (Order 64), § 314-20-030, filed 1/17/78; Order 49, § 314-20-030, filed 8/26/76, effective 9/26/76; Order 19, § 314-20-030, filed 8/10/72; Rule 39, filed 6/13/63.]

**WAC 314-20-100 Beer wholesale price posting (Rule 49).** (1) Every beer wholesaler shall file with the board at its office in Olympia a price posting showing the wholesale prices at which any and all brands of beer sold by such beer wholesaler shall be sold to retailers within the state.

(2) No price posting shall become effective until fifteen days after the actual filing thereof with the board. In the event a price posting is filed before a previous one has become effective, the subsequent filing shall nullify said previous price posting.

(3) Each price posting shall be made on a form prepared and furnished by the board and shall set forth:

(a) all brands, types, packages and containers of beer offered for sale by such beer wholesaler.

(b) The wholesale prices thereof to retail licensees, including allowances, if any, for returned empty containers.

(4) No beer wholesaler shall sell or offer to sell any package or container of beer to any retail licensee at a price differing from the price for such package or container as shown in the price posting filed by the beer wholesaler and then in effect.

(5) Quantity discounts are prohibited. No price shall be posted which is below "cost," or below "cost of doing business," or a "loss leader," as those terms are defined in chapter 19.90 RCW, Unfair Practices Act, except as otherwise provided in such Act.

(6) Wholesale prices on a "close-out" item shall be accepted by the board if in compliance with chapter 19.90 RCW and the item to be discontinued has been listed on the state market for a period of at least six months, and upon the further condition that the wholesaler who posts such a close-out price shall not restock the item for a period of one year following the first effective date of such close-out price.

(7) If an existing written contract or memorandum of oral agreement between a licensed brewer, certificate of approval holder, beer importer or beer wholesaler and a beer wholesaler, on file in accordance with WAC 314-20-105 (Rule 49.5), is terminated by either party, and a new written contract or memorandum of oral agreement is made by such a supplier with another beer wholesaler in the affected trade area, the board, after receiving such new contract or memorandum of oral agreement and a corresponding wholesale price posting from the newly-designated beer wholesaler, may put such filings into effect immediately: *Provided*, That prices and other conditions of such filings which are in effect at the time of such termination shall not be changed until subsequent filings are submitted to the board and become effective under regulatory procedures set forth in other subsections of this regulation and WAC 314-20-105 (Rule 49.5).

(8) The board may reject any price posting which it deems to be in violation of this or any other regulation or portion thereof which would tend to disrupt the orderly sale and distribution of beer. Whenever the board shall reject any posting the licensee submitting said posting may be heard by the board and shall have the burden of showing that said posting is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of beer. Thereupon if said posting is accepted it shall become effective at the time fixed by the board. If said posting is rejected, the last effective posting shall remain in effect until such time as an amended posting is filed and approved, in accordance with the provisions of this regulation.

(9) All price postings filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not within any sense be considered confidential.

(10) Any beer wholesaler or employee authorized by his wholesaler-employer may sell beer at the wholesaler's posted prices to any Class A, B, D, E, H, or G licensee upon presentation to such wholesaler or employee at the time of purchase of a special permit issued by the board to such licensee.

(a) Every Class A, B, D, E, H, or G licensee upon purchasing any beer from a wholesaler, shall immediately cause such beer to be delivered to his licensed premises, and he shall not thereafter permit such beer to be disposed of in any manner except as authorized by his license.

(b) Beer sold as provided herein shall be delivered by such wholesaler or his authorized employee either to such retailer's licensed premises or directly to such retailer at the wholesaler's licensed premises: *Provided, however*, That a wholesaler's prices to retail licensees shall be the same at both such places of delivery. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW. 78-02-056 (Order 62), § 314-20-100, filed 1/20/78, effective 7/1/78; Order 54, § 314-20-100, filed 5/24/77, effective 7/1/77; Order 51, § 314-20-100, filed 12/15/76; Order 18, § 314-20-100, filed 1/13/72, effective 2/14/72; Order 15, § 314-20-

100, filed 5/13/71, effective 7/1/71; Rule 49, filed 6/13/63.]

### Chapter 314-24 WAC

#### DOMESTIC WINERIES AND DOMESTIC WINE WHOLESALE

##### WAC

314-24-080 Containers—Sizes and types permitted (Rule 66).  
314-24-190 Wine wholesale price posting (Rule 81).

**WAC 314-24-080 Containers—Sizes and types permitted (Rule 66).** (1) All wine sold for consumption in the state shall be sold in packages or containers of the following sizes: 2 ounces, 3 ounces, 4 ounces, 2/5 pint, 1/2 pint, 4/5 pint, one pint, 4/5 quart, one quart, 2/5 gallon, 1/2 gallon, 4/5 gallon, one gallon, 3 gallon[s] and 4.9 gallons. In addition, for aperitif wines only, 15/16 quart.

(2) No domestic winery or wine wholesaler, or wine importer shall adopt or use any packages for wine differing in sizes and case capacities from the following classification, to wit: Manufacturer's original full cases of 2 ounces, 3 ounces, or 4 ounces; 24 or 48 2/5 pint, 24 or 48 1/2 pint, 12 or 24 4/5 pint, 24 one pint, 12 4/5 quart, 12 15/16 quart, 12 one quart, 3 or 6 2/5 gallon, 6 1/2 gallon, 3 or 4 4/5 gallon, 4 one gallon, 1, 2, or 3 three gallons, and 1 or 2 4.9 gallons: *Provided, however*, That the case capacity provisions set forth herein shall not apply to cases containing multiple packages of authorized sizes when originally packed by the manufacturer of such wine to comprise specific "gift-type" container units.

(3) Wine referred to in subsections (1) and (2) of this regulation may also be packaged and sold in metric standards of fill and in case sizes as are established in 27 Code of Federal Regulations, to wit: 3 liters (101 fl. oz.) 4 bottles per case; 1.5 liters (50.7 fl. oz.) 6 bottles p/c; one liter (33.8 fl. oz.) 12 bottles p/c; 750 milliliters (25.4 fl. oz.) 12 bottles p/c; 375 milliliters (12.7 fl. oz.) 24 bottles p/c; 187 milliliters (6.3 fl. oz.) 48 bottles p/c; 100 milliliters (3.4 fl. oz.) 60 bottles p/c. Wine may be bottled or packed in containers of four liters or larger if the containers are filled and labeled in quantities of even liters.

(4) Wine imported from foreign countries may be packaged and container sizes approved by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department for marketing within the United States. A copy of the federal certificate of label approval must be submitted with each such request for authorization.

(5) For taxing purposes and in all reports to the board, the above enumerated designations of package sizes, and no others, shall be used. [Statutory Authority: RCW 66.08.030, 66.08.050, 66.98.070 and Title 34 RCW. 78-09-012 (Order 67, Resolution 76), § 314-24-080, filed 8/8/78; Order 49, § 314-24-080, filed 8/26/76; Order 37, § 314-24-080, filed 7/17/75; Order 19, § 314-24-080, filed 8/10/72; Order 14, § 314-24-080, filed 12/1/70, effective 1/1/71; Order 5, § 314-

24-080, filed 8/7/69, effective 9/8/69; Resolution 3, filed 9/8/64; Rule 66, filed 6/13/63.]

**WAC 314-24-190 Wine wholesale price posting (Rule 81).** (1) Every wine wholesaler shall file with the board at its office in Olympia a wine price posting, showing the wholesale prices at which any and all brands of wine offered for sale by such wine wholesaler shall be sold to retailers within the state.

(2) All price postings must be received by the board not later than the fifteenth day of the month, and if approved will become effective on the first day of the calendar month following the date of such filing. An additional period, not to exceed five days will be allowed for revision of a price posting to correct errors, omissions, or to meet competitive prices filed during the current posting period, but a revised posting must be on file at the board office by not later than the twentieth day of the month in order to become effective on the first day of the next calendar month.

(3) **Filing Date Exception**—Whenever the fifteenth day of any month falls on Saturday, Sunday or a legal holiday, an original price posting may be filed not later than the close of business the next business day.

(4) In the event that a wine wholesaler determines to make no changes in any items or prices listed in the last filed and approved schedule, such prices listed in the schedule previously filed and in effect, shall remain in effect for each succeeding calendar month until a revised or amended schedule is filed and approved, as provided herein.

(5) Postings shall be submitted upon forms prescribed and furnished by the board, and shall set forth:

(a) All brands, types and sizes of packages or containers of wine offered for sale in this state by such wine wholesaler, which packages or containers shall be limited to the sizes permitted in WAC 314-24-080 (Rule 66).

(b) The wholesale prices thereof within the state, which prices shall include the state wine gallonage tax of seventy-five cents per gallon imposed under RCW 66.24.210.

(6) No wine wholesaler shall sell or offer for sale any package or container of wine at a price differing from the price of such item as shown in the price posting then in effect.

(7) Quantity discounts are prohibited. No price shall be posted which is below "cost," or below "cost of doing business," or a "loss leader" as those terms are defined in chapter 19.90 RCW, Unfair Practices Act, except as otherwise provided in such Act.

(8) Wholesale prices on a "close-out" item shall be accepted by the board if in compliance with chapter 19.90 RCW and the item to be discontinued has been listed on the state market for a period of at least six months, and upon the further condition that the wholesaler who posts such a "close-out" price shall not restock the item for a period of one year following the first effective date of such "close-out" price.

(9) If an existing written contract or memorandum of oral agreement between a domestic winery, certificate of approval holder, wine importer, or wine wholesaler and a

wine wholesaler, as filed in accordance with WAC 314-24-200 (Rule 82), is terminated by either party, and a new written contract or memorandum of oral agreement is made by such a supplier with another wine wholesaler in the affected trade area, the board, after receiving such new written contract or memorandum of oral agreement, and a corresponding wholesale price posting from the newly designated wine wholesaler, may put such filings into effect immediately: *Provided*, That prices and other conditions of any such filings which are in effect at the time of such termination shall not be changed prior to the next applicable filing period.

(10) When a new wine wholesaler's license is issued for the first time by the board, the holder thereof may file an initial price schedule and request that such posting be placed into effect immediately. The board may grant such approval, providing that such posting is in compliance with all other applicable regulatory requirements, and that contracts and memoranda are on file, in accordance with WAC 314-24-200 (Rule 82).

(11) The board may reject any price posting or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of wine. Whenever the board shall reject any posting the licensee submitting said posting may be heard by the board and shall have the burden of showing that the posting is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of wine. Thereupon if said posting is accepted it shall become effective at a time fixed by the board. If said posting or portion thereof is rejected the last effective posting shall remain in effect until such time as an amended posting is filed and approved in accordance with the provisions of this regulation.

(12) Any wine wholesaler or employee authorized by his wholesaler-employer may sell wine at the wholesaler's posted prices to any Class C, F, H, or J licensee upon presentation to such wholesaler or employee at the time of purchase of a special permit issued by the board to such licensee.

(a) Every Class C, F, H, or J licensee, upon purchasing any wine from a wholesaler, shall immediately cause such wine to be delivered to his licensed premises, and he shall not thereafter permit such wine to be disposed of in any manner except as authorized by his license.

(b) Wine sold as provided herein shall be delivered by such wholesaler or his authorized employee either to such retailer's licensed premises or directly to such retailer at the wholesaler's licensed premises: *Provided*, however, That a wholesaler's prices to retail licensees shall be the same at both places of delivery.

(13) All price postings filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not in any sense be considered confidential. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW. 78-02-056 (Order 62), § 314-24-190, filed 1/20/78, effective 7/1/78; Order 54, § 314-24-190, filed 5/24/77, effective 7/1/77; Order 51, § 314-24-190, filed 12/15/76; Order 26, § 314-24-190, filed

8/14/73; Order 18, § 314-24-190, filed 1/13/72, effective 2/14/72; Order 15, § 314-24-190, filed 5/13/71, effective 7/1/71; Order 5, § 314-24-190, filed 8/7/69, effective 9/8/69; Rule 81, filed 6/13/63.]

### Chapter 314-52 WAC ADVERTISING

#### WAC

314-52-015	General.
314-52-070	Outdoor advertising. (Rule 122).
314-52-080	Novelty advertising. (Rule 123).
314-52-090	Advertising jointly by retailers and manufacturers, importers, or wholesalers, prohibited. (Rule 124).
314-52-111	Advertising by retail licensees—On premises. (Rule 126.1).
314-52-113	Brand signs and point-of-sale displays on retail licensed premises. (Rule 126.3).
314-52-120	Advertising by holders of special occasion Class G or J retail licenses. (Rule 126.6).

**WAC 314-52-015 General. (Rule 116.5).** All liquor advertising shall be modest, dignified and in good taste and shall not contain:

(1) Any statement or illustration that is false or misleading in any material particular.

(2) Any statement or illustration that is disparaging of a competitor's product.

(3) Any statement, design, device, or representation which is obscene or indecent.

(4) Any statement, design, device, or representation of or relating to analyses, standards, or tests, irrespective of falsity, which is likely to mislead the consumer.

(5) Any statement, design, device, or representation of or relating to any guaranty, irrespective of falsity, which is likely to mislead the consumer.

Nothing in this section shall prohibit the use of any enforceable guaranty in substantially the following form: "We will refund the purchase price to the purchaser if he is in any manner dissatisfied with the contents of this package."

(6) Any statement that the product is produced, blended, made, bottled, packed or sold under, or in accordance with, any authorization, law, or regulation of any municipality, county, or state, federal or foreign government unless such statement is required or specifically authorized by the laws or regulations of such government; and if municipal, state or federal permit number is stated, such permit number shall not be accompanied by any additional statement relating thereto.

(7) Any statement that is inconsistent with any statement on the label of the product.

(8) Any statement, design or device representing that the use of liquor has curative or therapeutic effects, if such statement is untrue in any particular, or tends to create a misleading impression.

(9) Any representation that the product was manufactured in, or imported from, a place or country other than that of its actual origin, or was produced or processed by one who was not in fact the actual producer or processor.

(10) Any statement, design, device or pictorial representation of or relating to, or capable of being construed as relating to the armed forces of the United States, or of the American Flag, any state flag, or any emblem, seal, or insignia or decoration associated with any such flag or the armed forces of the United States; nor shall any advertisement contain any statement, device, design or pictorial representation of or concerning any flag, seal, coat of arms, crest, or other insignia, likely to falsely lead the consumer to believe that the product has been endorsed, made, or used by, or produced for, or under the supervision of, or in accordance with the specifications of the government organization, family, or individual with whom such flag, seal, coat of arms, crest or insignia is associated.

(11) Any statement, picture, or illustration implying that the consumption of liquor enhances athletic prowess, or any statement, picture, or illustration referring to any known athlete, if such statement, picture, or illustration implies, or if the reader may reasonably infer, that the use of liquor contributed to such known athlete's athletic achievements.

(12) Any depiction of a child or other person under legal age to consume liquor; any depiction of objects, such as toys, suggestive of the presence of a child, nor any other depiction designed in any manner as to be especially appealing to children or other persons under legal age to consume liquor.

(13) Any picture or illustration of a man or woman which is immodest, undignified or in bad taste.

(14) Reference to any brand, type or package not actually on sale in the state of Washington.

(15) Any reference to any religious character, sign or symbol, except in relation to kosher wines or where such are a part of an approved label.

(16) The words "new," "now," "now available," or words of similar import, in connection with price change, package modification or any other change, or new listings, more than six months after such change.

(17) Any statement, picture, or illustration which promotes overconsumption. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.08.070, and Title 34 RCW. 79-08-036 (Order 68, Resolution 77), § 314-52-015, filed 7/17/79; Order 46, § 314-52-015, Rule 116.5, filed 6/9/76; Order 10, § 314-52-015, Rule 116.5, filed 10/27/70, effective 11/27/70.]

#### WAC 314-52-070 Outdoor advertising. (Rule 122).

(1) "Outdoor advertising" as used in these regulations shall include any form of advertisement of liquor or the service of liquor which is visible to the general public from a public thoroughfare: *Provided, however,* That advertisements visible through windows or affixed to exterior walls of a licensed premises, although visible to the general public, shall be governed as otherwise provided in these regulations.

(2) "Signs" as used in these regulations shall include all visual forms of advertising liquor or the service of liquor whether illuminated or nonilluminated, single-faced or multiple faced, stationary or revolving: *Provided, however,* That "point-of-sale" signs and material

shall be defined and governed as otherwise provided in WAC 314-52-113 (Rule 126.3).

(3) Sketches, in triplicate, of all outdoor signs advertising the sale of liquor by a retail licensee, shall be submitted by the licensee or applicant for board consideration prior to installation: *Provided, however*, That outdoor readerboard messages and/or interior signs visible through a window of a premises will be in conformance with WAC 314-52-015 (Rule 116.5) and will be submitted to the local Liquor Control Board enforcement officer for approval prior to display. In the event any outdoor signs or outdoor readerboard messages are installed without prior approval, the board reserves the right to require immediate removal regardless of any expense involved.

(4) Outdoor signs and other outdoor advertising matter shall be designed, installed and used in a manner not offensive to the public.

(5) No outdoor advertising of liquor shall be placed in proximity to schools, churches, playfields used primarily by minors, or other public institutions, nor any place which the board in its discretion finds contrary to the public interest: *Provided, however*, That exceptions approved under the provisions of RCW 66.24.010(9), shall apply here.

(6) Liquor advertising may be displayed on the inside and outside of public conveyances affording transportation or service to the general public, upon prior approval of the board.

(7) No signs or other advertising matter advertising any brands of liquor shall be erected or placed on the outside of any building in which liquor is sold at retail; except that where the licensed premises (other than Class H) occupies a part or all of the first floor of a multi-storied building, then a billboard or poster-type ad for spirituous liquor may be placed on the roof of said building upon prior approval of the board and subject to local ordinance: *Provided, however*, That nothing in this section shall prohibit a brewery or winery from brand advertising on buildings on the brewery or winery premises. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW. 78-02-056 (Order 62), § 314-52-070, filed 1/20/78; Order 46, § 314-52-070, Rule 122, filed 6/9/76; § 314-52-070, filed 10/27/70, effective 11/27/70; Order 2, § 314-52-070, filed 5/1/69; Rule 122, filed 6/13/63.]

#### WAC 314-52-080 Novelty advertising. (Rule 123).

(1) Novelty advertising items shall include, but shall not be limited to, matches, trays, score cards, lighters, blotters, post cards, pencils, coasters, menu cards, meal checks, napkins, clocks, calendars, wearing apparel, mugs, glasses, knives, coupons, lamp shades, program folders, program cards, or similar items on which the logo, liquor brand name or name of a manufacturer of an alcoholic beverage has been imprinted.

(2) No liquor manufacturer, wholesaler, or importer, or employee thereof, shall provide directly or indirectly, any novelty advertising items to any retail licensee; nor shall any retail licensee, or employee thereof, accept any

liquor novelty advertising items directly or indirectly, from any manufacturer, wholesaler, or importer, or employee thereof.

(3) A non-liquor manufacturer, wholesaler, or importer, or employee thereof, may sell, and a retail licensee may purchase, for use, resale, or distribution on the licensed premises any novelty advertising items. The purchase shall be supported by invoices or signed vouchers which shall be preserved for two years on premises available for immediate inspection by board enforcement officers. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW. 78-02-056 (Order 62), § 314-52-080, filed 1/20/78; Order 46, § 314-52-080, Rule 123, filed 6/9/76; Order 10, § 314-52-080, filed 10/27/70, effective 11/27/70; Rule 123, filed 6/13/63.]

**WAC 314-52-090 Advertising jointly by retailers and manufacturers, importers, or wholesalers, prohibited. (Rule 124).** (1) The name of a retail licensee shall not appear in, or as a part of, or supplementary to, any advertising of a manufacturer, importer or wholesaler, nor shall the name of the manufacturer, importer or wholesaler or the brand name of liquor appear in or as a part of, or supplementary to, the advertising of any retail licensee: *Provided*, That a retail licensee may advertise brands of beer and wine under the conditions of WAC 314-52-112 and WAC 314-52-113.

(2) RCW 66.28.010 shall also apply to joint advertising insofar as it is relevant. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW. 78-02-056 (Order 62), § 314-52-090, filed 1/20/78; Order 46, § 314-52-090, Rule 124, filed 6/9/76; Order 10, § 314-52-090, filed 10/27/70, effective 11/27/70; Rule 124, filed 6/13/63.]

**WAC 314-52-111 Advertising by retail licensees--On premises. (Rule 126.1).** All regulations heretofore listed shall govern advertising by on-premises licensees such as Class A, B, C, D, and H licensees.

(1) Since the prerequisite for a Class H license is the service of complete meals, any advertisement by a Class H licensee which makes a direct reference to liquor or to the service of liquor shall mention with equal emphasis that food is available. For the purpose of clarification, use of such words as bar, barroom, drinks and cocktails in an advertisement is interpreted as a direct reference to liquor or the service of liquor; use of such words as dinners, lunches, steak special, seafood dinners, and restaurant is interpreted as a reference to the availability of complete meals.

(2) Filled containers of wine or beer shall not be used for display purposes on dining room tables.

(3) Bona fide restaurants holding either a Class C or Class H license may display wine bottles in or near dining rooms of their premises.

(4) Retail licensees may advertise on their premises with the retail licensee's trade name the brands of liquors offered for sale on menus, wine lists, back bar signs, wall placards, and table tents; provided said advertising material is paid for by said retail licensee.

(5) One sign bearing the room name and/or the words "bar," "cocktails," "lounge," may be placed in the vicinity of the principal entrance(s) to the premises or placed so as to be visible from the principal thoroughfare. No such signs or advertisements shall be installed at or near doorways designed for exit purposes only. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW. 78-02-056 (Order 62), § 314-52-111, filed 1/20/78; Order 46, § 314-52-111, Rule 126.1, filed 6/9/76.]

**WAC 314-52-113 Brand signs and point-of-sale displays on retail licensed premises. (Rule 126.3).** Under the limitations imposed by RCW 66.28.010, WAC 314-52-090 (Rule 124) and WAC 314-12-140 (Rule 13), manufacturers, importers or wholesalers may furnish brand signs and point-of-sale material under the following conditions:

(1) The brand signs and point-of-sale material shall have no value to the retailer except as brand advertisement; such signs as those which provide illumination for cash registers, pool tables and other parts of the premises, have a functional value and are not authorized. The brand signs and point-of-sale material shall remain the property of, and be the responsibility of, the manufacturers, importers or wholesalers; such signs and material shall be removed from the licensed premises when sale of the brand is discontinued by the retail licensee, or in the event of a discontinuance of business by the retail licensee.

(2) No retail licensee shall put or keep on display in any place on the licensed premises any signs or point-of-sale material advertising alcoholic beverages unless the alcoholic beverages so advertised are actually then available for sale on such premises: *Provided*, That this restriction shall not apply when alcoholic beverage stocks are temporarily depleted.

(3) The term "display" as used herein, shall mean the exhibition of beer, ale or wine containers and cases, or bottles or cans outside of cases, together with advertising material, the purpose of which is to advertise such products to the prospective purchasers on the premises.

(4) The term "case display" as used herein, shall mean beer, ale or wine in cartons or cases only. A handi-pack is included in the term "carton".

(5) The term "point-of-sale material" as used herein, shall include such manufacturer, importer or wholesaler-supplied items as display cards, placards, table tents, recipes, display bins, decalcomanias, price cards, shelf strips, product information pamphlets, bottle hangers and other such brand advertising material for display at the point of sale. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW. 78-02-056 (Order 62), § 314-52-113, filed 1/20/78; Order 46, § 314-52-113, Rule 126.3, filed 6/9/76.]

**WAC 314-52-120 Advertising by holders of special occasion Class G or J retail licenses. (Rule 126.6).** (1) Advertising by holders of Special Occasion Class G or J Retail Licenses who use public facilities or licensed club facilities, under the provisions of WAC 314-40-080(3),

for charitable, civic, community or private functions, shall be limited to the sale or service of such liquor as is authorized for sale by the Special Occasion Retail License held and shall be governed by such other regulations applicable to retail licensees.

(2) Illegal advertising at any time during the past five years, while holding a Special Occasion Retail License, may be cited as sufficient reason to deny a subsequent application for a license by a charitable, civic, community or private organization. [Statutory Authority: RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW. 78-02-056 (Order 62), § 314-52-120, filed 1/20/78; Order 46, § 314-52-120, Rule 126.6, filed 6/9/76.]

### Chapter 314-62 WAC

### LIQUOR LAW PAMPHLETS AND ANNUAL REPORTS

#### WAC

314-62-010 Liquor law pamphlets.  
314-62-020 Annual reports.

**WAC 314-62-010 Liquor law pamphlets.** Pursuant to RCW 66.08.030 as amended by section 1, chapter 115, Laws of 1977 ex. sess., pamphlets containing the liquor laws (Title 66 RCW and other liquor related statutes) and the revised rules and regulations of the board shall be made available through the Board's Central Office Services Division, 1025 East Union Avenue, Olympia, Washington 98504, for distribution, upon request, to any member of the public. An updating service covering amendments to the Liquor Act and the Revised Rules and Regulations of the Board shall also be available for such distribution. Charges shall be made for these items as follows:

Liquor Laws and Regulations \_\_\_\_\_ \$1.50  
Update Service \_\_\_\_\_ \$3.50

*Provided, however*, That copies of the liquor laws and regulations and the update service shall be provided without charge as follows: (1) to the secretary of the senate for use of senate committees, fifteen copies; (2) to the chief clerk of the house for use of house committees, twenty copies; (3) to the state library, two copies; (4) to the state law library, two copies; (5) to licensees of the board, one copy each; (6) to recognized news reporting services maintaining permanent offices at the capitol, one copy each. One copy shall also be provided without charge, upon request, to legislators, governmental and nonprofit organizations, academic research students, libraries, and alcoholism information and treatment centers. [Statutory Authority: RCW 66.08.030, 66.98.070 and Title 34 RCW. 78-02-039 (Order 63), § 314-62-010, filed 1/17/78.]

**WAC 314-62-020 Annual reports.** Pursuant to RCW 66.08.028, the board makes annual reports to the governor covering the administration and enforcement of the Liquor Act during the preceding fiscal year. Copies of this report shall be available through the Board's Central Office Services Division, 1025 East Union Avenue, Olympia, Washington 98504, for distribution, upon

request, to any member of the public. A charge of \$2.80 shall be made for each copy of this report: *Provided, however,* That copies of the annual report shall be provided without charge as follows: (1) to the secretary of the senate for use of senate committees, fifteen copies; (2) to the chief clerk of the house for use of house committees, twenty copies; (3) to the state library, two copies; (4) to the state law library, two copies; (5) to licensed agents of suppliers of liquor with whom the board does business, one copy each; (6) to recognized news reporting services maintaining permanent offices at the capitol, one copy each. One copy of the annual report shall also be provided without charge, upon request, to legislators, governmental and nonprofit organizations, academic research students, libraries, and alcoholism information and treatment centers. [Statutory Authority: RCW 66.08.030, 66.98.070, and Title 34 RCW. 78-05-003 (Order 65, Resolution 74), § 314-62-020, filed 4/6/78; 78-02-039 (Order 63), § 314-62-020, filed 1/17/78.]

**Title 320 WAC  
MEDICAL DISCIPLINARY BOARD**

**Chapters**

**320-18 Standards for professional conduct.**

**Chapter 320-18 WAC**

**STANDARDS FOR PROFESSIONAL CONDUCT**

**WAC**

**320-18-010 Prescriptions—Schedule II stimulant drugs.**

**WAC 320-18-010 Prescriptions—Schedule II stimulant drugs.** (1) A physician shall be guilty of unprofessional conduct if he or she prescribes, orders, dispenses, administers, supplies or otherwise distributes any amphetamines or other Schedule II nonnarcotic stimulant drug to any person except for the therapeutic treatment of:

- (a) narcolepsy
- (b) hyperkinesia
- (c) brain dysfunction of sufficiently specific diagnosis, or etiology which clearly indicates the need for these substances in treatment or control
- (d) epilepsy
- (e) differential psychiatric evaluation of depression
- (f) depression shown to be refractory to other therapeutic modalities;

or for the clinical investigation of the effects of such drugs or compounds in which case an investigative protocol must be submitted to and reviewed and approved by the medical disciplinary board before the investigation has begun.

(2) A physician prescribing or otherwise distributing controlled substances as permitted by section 1 shall maintain a complete record which must include:

- (a) documentation of the diagnosis and reason for prescribing
- (b) name, dose, strength, and quantity of drug, and the date prescribed or distributed.

(3) The records required by section 2 shall be made available for inspection by the board or its authorized representative upon request.

(4) Schedule II stimulant drugs shall not be dispensed or prescribed for the treatment or control of exogenous obesity. [Statutory Authority: RCW 18.72.150(1). 79-02-044 (Order 296, Resolution 296), § 320-18-010, filed 1/29/79.]

**Title 332 WAC**

**NATURAL RESOURCES, BOARD AND DEPARTMENT OF**

**Chapters**

**332-17 Geothermal drilling rules and regulations.**  
**332-24 Forest protection.**  
**332-40 Guidelines interpreting and implementing the State Environmental Policy Act.**  
**332-52 Managed lands and roads—Use of.**  
**332-100 Leases, sales, rights of way, etc.**

**Chapter 332-17 WAC**

**GEOHERMAL DRILLING RULES AND REGULATIONS**

**WAC**

**332-17-010 Inspection.**  
**332-17-020 General rules.**  
**332-17-030 Supremacy of special rules and orders.**  
**332-17-100 Application for permit to commence drilling, re-drilling or deepening.**  
**332-17-110 Casing requirements.**  
**332-17-120 Blowout prevention.**  
**332-17-130 Drilling fluid.**  
**332-17-140 Well logging.**  
**332-17-150 Removal of casing.**  
**332-17-160 Drilling bond.**  
**332-17-165 Cancellation of bond.**  
**332-17-200 Transfer of jurisdiction to department of ecology.**  
**332-17-300 Proper completion and abandonment.**  
**332-17-310 Abandonment procedures.**  
**332-17-320 Suspension.**  
**332-17-340 Notice of change of ownership.**  
**332-17-400 Records.**  
**332-17-410 Vertical and directional wells.**  
**332-17-420 Department to witness tests.**  
**332-17-430 Well designation.**  
**332-17-440 Well spacing.**  
**332-17-450 Right of entry.**  
**332-17-460 Pits or sumps.**

**WAC 332-17-010 Inspection.** The department shall inspect all geothermal operations for the purpose of obtaining compliance with the rules, regulations, and orders promulgated by authority of the Geothermal