

BEER, WINE, SPIRIT SAMPLING OR TASTING

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<http://www.house.mi.gov/hfa>

House Bill 4559 as introduced
Sponsor: Rep. Tom Barrett
Committee: Regulatory Reform
Complete to 5-10-17

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

The bill would allow a licensed wholesaler or manufacturer of alcoholic liquor to give samples of beer or wine to an employee of the wholesaler under certain conditions, and would clarify the situations under which a tasting or sampling would not violate the Michigan Liquor Control Code's prohibition on a vendor giving away any alcoholic liquor in connection with the vendor's business.

House Bill 4559 would amend Section 1025 of the Michigan Liquor Code to allow either a wholesaler or a manufacturer to give samples of beer or wine to an employee of the wholesaler if all of the following conditions were met:

- ❖ The purpose is to educate the employee regarding the beer or wine.
- ❖ The employee is at least 21 years of age.
- ❖ The sampling takes place on the wholesaler's licensed premises.

In addition, the Code currently bans vendors from giving away any alcoholic liquor of any kind or description at any time in connection with the vendor's business, except that a manufacturer may do so for consumption on the premises only. However, the prohibition does not prevent certain entities or a bona fide market research organization retained by one of the specified entities from conducting samplings or tastings of a product before approval for sale in the state if written approval had been obtained from the Michigan Liquor Control Commission. Further, Section 1025 also authorizes several other situations in which entities are not prevented from offering a sampling or tasting. The bill would add the following to this list:

- ❖ Any sampling or tasting authorized by rule of the Commission.
- ❖ A tasting authorized under Section 415 of the Code conducted by the holder of a farmers market permit.
- ❖ A sampling authorized under Section 1027(2) of the Code conducted by a retailer licensed for consumption on the premises.
- ❖ A sampling at a consumer sampling event authorized under Section 1027(4) and (5).

MCL 436.2025

FISCAL IMPACT:

House Bill 4559 would not have a significant fiscal impact on state or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.