Washington State
Liquor Control Board

Liquor Control Board Interim Policy BIP-03-2011

Subject: Beer and Wine Tasting at Farmer's Markets

Effective Date: June 29, 2011

Ending Date: November 1, 2012

Approved:

Sharon Foster, Chairman

Ruthann Kurose, Board Member

Chris Marr, Board Member

Purpose:
SHB 1172 created a pilot for beer and wine tasting at Farmer's Markets. The bill outlines the criteria under which a Farmer's Market may be authorized to conduct tastings. The pilot will consist of ten Farmer's Markets with at least six days of tastings at each Farmer's Market between September 1, 2011, and November 1, 2012.

Policy Statement:
In order to be allowed beer and wine tasting at a Farmer's Market, the following criteria must be met:

- The Farmer's Market must be authorized by January 1, 2011, to allow wineries, breweries, and microbreweries to sell bottled wine and/or beer at retail.
- A winery, brewery, or microbrewery offering samples at a Farmer's Market must have an endorsement by May 1, 2011, from the board to sell wine or beer of its own production at a Farmer's Market.
- Only one winery, brewery, or microbrewery may offer samples at a Farmer's Market per day.
- A winery, brewery, or microbrewery may advertise that it offers samples only at its designated booth or stall.

Samples may be offered only under the following conditions:

- Each sample must be two ounces or less, up to a total of four ounces per customer per day. A winery, brewery, or microbrewery may provide only one sample of any single brand and type of wine or beer to a customer per day;
- Beer and wine samples are to be conducted in the booth or stall of the winery, brewery, or microbrewery with a barrier at least forty-two inches in height, where licensees are able to observe and control customers participating in the samples; the barriers may be moveable (an example would be ropes and stanchions);
- A winery, brewery, or microbrewery must have food available for customers to consume while sampling beer or wine, or must be adjacent to a vendor offering prepared food;
- Customers must remain in the designated sampling area while sampling beer or wine;
- Winery, brewery, or microbrewery employees serving beer and wine during tasting events must hold a valid MAST permit; and
- If a winery, brewery, or microbrewery commits a public safety violation in conjunction with sampling activities, the board may suspend the licensee's farmer's market endorsement for up to two years. If mitigating circumstances exist, the Board may offer a monetary penalty in lieu of suspension during a settlement conference.

The Farmer's Market is required to provide a sketch to Licensing Division of the area where beer and wine samples will be conducted and any adjacent food booths.

The Farmer's Market is also required to send a list of scheduled beer and wine samplings to the Liquor Control Board to MIWenforce@liq.wa.gov at the beginning of each month. The date for each beer and wine sampling, and the names of the winery, brewery, or microbrewery providing the samples must be included.

The board will report on the pilot project to the appropriate committees of the legislature by December 1, 2012.