FINE WINE & GOOD SPIRITS

July 2016

SUBJECT: Vendor In-Store Tasting Events

TO: ALL VENDORS AND VENDOR REPRESENTATIVES

FROM: Melissa Kutz | Chief
Retail Planning & Promotions
Retail Operations

Since the inception of vendor in-store tastings in March 2003, the number of in-store tastings has grown exponentially. To more efficiently handle the scheduling of tastings in Fine Wine & Good Spirits stores and improve our vendor partners' experience with the process, the PLCB has developed an automated, web-based tasting calendar called the ***Tastings Scheduler.*** The scheduler provides users with a more hands-on method of entering tastings, which are then displayed on the public tasting calendar. Vendors can now enter events in real time, reducing conflicts and streamlining the process.

We are very proud of how our in-store tasting program has grown and look forward to its continued success as vendors present new and exciting products and programs to our customers.

Tastings Scheduler

Vendors interested in conducting tastings in any Fine Wine & Good Spirits store must register on the ***Tastings Scheduler*** application.

- The PLCB must have a certificate of liability insurance on file from each interested party, including but not limited to the vendor of record, tasting scheduling company, winery or distillery, etc. Each interested party must document, at minimum, current general liability limits of $1 million per occurrence and $2 million per occurrence annual aggregate. In addition to these general liability limits, each interested party must document, at minimum, current liquor liability coverage in

the amount of $1 million per occurrence and $2 million aggregate. The PLCB must be named as an additional insured on all certificates of liability insurance.

- By way of example, if Brand X is being scheduled for an in-store tasting to be conducted by an event company on behalf of a vendor of record, then separate certificates of liability insurance demonstrating the above-noted minimum insurance requirements must be submitted for the manufacturer, the vendor of record (if not the manufacturer), and the event company performing the tasting.

- No tastings will be scheduled until all required certificates of liability insurance are received.

- Certificate Holder and Additional Insured:
  Pennsylvania Liquor Control Board
  910 Capital Street, NWOB
  Harrisburg, PA 17124
  Attn: Tasting Scheduler Administrator, Room 204

A hard copy of the certificate of liability insurance must be submitted by mail to the address above.

- Vendors must also sign and submit a Pennsylvania Liquor Control Board Indemnity Against Liability form.

- Vendors are required to fully comply with PLCB regulations relating to in-store tasting events. Click here to view Title 40: Liquor - Subchapter D: Tasting.

- The Vendor Code of Conduct remains effective and must be followed by all vendors and their agents while conducting events within Fine Wine & Good Spirits stores. Click here to view the Vendor Code of Conduct.

- Vendors conducting tastings in Fine Wine & Good Spirits stores are required to comply with a Vendor Dress Code. Click here for full details of the Vendor Dress Code. Failure to comply with the established dress code could result in suspension of tasting privileges.

- All questions or comments regarding in-store tastings or the ***Tastings Scheduler*** should be emailed to RA-LBTastingCalendar@pa.gov.

FAQs

Who may conduct an in-store tasting event?

- Sponsors – which include any licensed vendor, importer, manufacturer and agents or employees of such who are 21 years of age or older – may conduct in-store tasting events at the discretion of the Board.

May PLCB employees participate or assist the sponsor with the in-store tasting event?

- PLCB employees may give consumers general information regarding an in-store tasting event, such as the time, date and name of the event sponsor.
- PLCB employees may only actively participate in tastings conducted by the agency.
- PLCB employees will work with sponsors to accommodate their presence in the store for an in-store tasting event.
- Members of the Bureau of Retail Operations, Retail Planning & Promotions Division, will work closely with sponsors to coordinate tasting events that exceed the scope of a regular in-store tasting. This includes any celebrity, winemaker or brand ambassador appearances or special programs that would require additional in-store set-up, staffing or landlord approvals.
- On-duty PLCB employees shall not consume alcoholic beverages.

What are the general rules of operation for an in-store tasting event?

- Sponsors must obtain approval from the PLCB at least 30 days prior to the date of the proposed event in order to conduct an in-store tasting event.
- Prior to an in-store tasting event, sponsors or their agents are required to demonstrate evidence of liability insurance as identified herein and sign and submit a Pennsylvania Liquor Control Board Indemnity Against Liability form.
- Prior to an in-store tasting event, sponsors shall provide the PLCB with a list of products to be offered for tasting to consumers.
- No alcoholic beverages may be served to anyone visibly intoxicated or under 21 years of age.
- Only one sponsor may conduct an in-store tasting event at a time unless prior approval is granted by the PLCB.

Is there a maximum time limit for in-store tasting events?

- The duration of an in-store tasting event is limited to a maximum of two consecutive hours.

How are products acquired for use in an in-store tasting event?

- Wine or spirits used during the in-store tasting event must be:
    - Procured by the sponsor in accordance with the sampling process specified in PLCB regulations, specifically Section 13.81 relating to samples of liquor;
    - Purchased from the PLCB; or
    - Provided and transported by a sponsor from its own stock.
- Wine and spirits used during an in-store tasting event must be dispensed from original containers prepared by the manufacturer with labels visible to the consumer.

How many products may be available for sampling at any one in-store tasting event?

- A maximum of four products per in-store tasting event may be made available for tasting by consumers.

How much alcohol may be served to any one consumer at an in-store tasting event?

- In the case of wine, one ounce may be served to any one consumer for each product tasted. No consumer shall be furnished more than four ounces of wine (i.e., up to four one-ounce pours).
- In the case of spirits, one-quarter ounce may be served to any one consumer for each product tasted. No consumer shall be furnished more than one ounce of spirits (i.e., up to four quarter-ounce pours).

Must a sponsor provide food in conjunction with an in-store tasting event?

- Yes, the sponsor must provide food, such as cheese and crackers, for consumption by consumers during the in-store tasting event.

Is the sponsor responsible for providing supplies for an in-store tasting event?

- Yes, the sponsor is responsible for providing all supplies and equipment associated with an in-store tasting event. These supplied may include but are not limited to the following: dump buckets, water glasses, tasting containers and tables, all subject to PLCB approval.

How should sponsors dispose of unused portions of opened alcohol containers and empty containers?

- At the conclusion of an in-store tasting event, sponsors must either discard unused portions of opened alcohol containers at the wine and spirits store, or reseal the partially-consumed liquor containers. The resealed, partially-used containers may be placed in storage at the store for use at a subsequent store tasting or may be removed from the

premises. No partially-consumed liquor containers may be placed in storage at a store for more than 15 days. After 15 days, partially-used containers of liquor may be discarded by the PLCB.

- Sponsors shall dispose of all empty alcohol containers in accordance with Section 491(5) of the Liquor Code. [47 P.S. § 4-491(5)].
- Resealed partially-used containers may not be furnished to PLCB employees or any other person.

All other state and federal laws and regulations governing liquor and wine must be observed during in-store tasting events.