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Senate Federal & State Affairs Committee
SB 452

Testimony of
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Director, Alcoholic Beverage Control

March 8, 2012

Good morning Mr. Chairman and members of the committee. I thank you for the opportunity to present testimony in opposition of SB 452.

Currently, farm wineries and microbreweries can serve free samples both on and off the licensed premises. Also, during this session, bills have passed this committee allowing retailers, microdistilleries and manufacturers to serve free samples. ABC did not oppose those bills.

The purpose for free sampling by microbreweries and farm wineries is to educate consumers and encourage purchases for off-premise consumption. In short, the consumer could taste it, buy it if he liked it, and take it home for later consumption. That same theme carries through for the recent bills allowing sampling at retailers and microdistilleries. Those license types are also "off-premise" licenses; meaning the consumer purchases the item and takes it away from the premises for consumption. At a manufacturer's premise, the sampling is all about education, as manufacturers may not sell directly to consumers.

The difference with on-premise establishments like private clubs and drinking establishments is that the purchaser is actually consuming the drink then and there. There is very little educational opportunity and much room for abuse. There are certain clubs and drinking establishments that could and would abuse this sampling exception to give free drinks to their patrons. ABC opposes the concept of free drinks in any fashion at on-premise establishments. Free drinks would inevitably lead to excess consumption and be especially appealing to younger drinkers.

Further, there is a substantial economic difference between a person paying a few dollars for a mixed drink, glass of wine or beer that the person winds up not liking and a person paying \$20 or more for a full bottle of wine or spirits. From a public health and safety perspective, the benefits of allowing a consumer to sample, free of charge, a bottle of wine at a restaurant before deciding to purchase is severely outweighed by the danger of abuse, excessive consumption and alcohol-related incidents.

Thank you for carefully considering all the unintended consequences of this bill. ABC respectfully urges the committee to vote "no" on SB 452.

Sn Fed & State
Attachment 6

3-8-12