



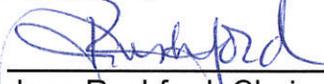
## Liquor and Cannabis Board Interim Policy BIP-05-2016

**Subject:** Use of Internet or Mobile Applications to Purchase Alcohol

**Effective Date:** November 2, 2016

**Ending Date:** Upon adoption of rules to implement this policy.

**Approved:**

  
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Jane Rushford, Chairman

  
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Ollie Garret, Board Member

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### **Purpose:**

The purpose of this interim policy is to allow retail customers to use internet sites or mobile applications to purchase alcohol to be delivered to the customer.

Drizly requested approval to make their mobile application available to customers in Washington State. Drizly provides the internet ordering interface, but the liquor licensed retailer chooses what products to list for sale, what price to charge for the products, takes the order, processes the credit card payment, and makes the delivery. In 2014 board staff informally approved Drizly's operation in Washington State.

RCW 66.28.050 clearly prohibits solicitation of orders on behalf of a licensee without a gift delivery license, a representative's license or a certificate of approval, but the intent of the language refers to solicitations by persons on behalf of wholesalers.

There is a prohibition in Chapter 314-03 WAC on third party solicitation of customer business for a liquor licensed business. The language in WAC 314-03-020 through 040 was drawn from RCW 66.28.050, which the board finds is not applicable to the solicitation of sales by retailers to individuals. Rulemaking will be opened today to revise the rules for internet sales and delivery to include language that internet or mobile applications such as Drizly are allowed.

### **Policy Statement**

(1) The use of internet or mobile applications for retail customers to purchase alcohol in Washington State are allowed under the following conditions:

- The internet sale will be made by the liquor licensee;

- The payment for the sale will be processed by the liquor licensee;
- The delivery of alcohol product must comply with the requirements of the rules in chapter 314-03 WAC; and
- The liquor licensee pays the owner of the internet or mobile application a service fee.