



Washington State
Liquor Control Board

Liquor Control Board Policy #BP-01-2010

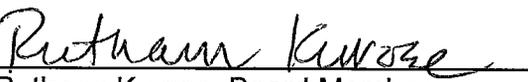
Subject: Restricted Products

Effective Date: April 14, 2010

Approved:



Sharon Foster, Board Chairman



Ruthann Kurose, Board Member

Background

Pursuant to RCW 66.08.030, it is declared that the power of the board to make regulations in the manner set out in that subsection shall extend to... (d) determining the classes, varieties, and brands of liquor to be kept for sale at any store.

Purpose Statement

The mission of the Washington State Liquor Control Board (WSLCB) includes ensuring the responsible sale, and preventing the misuse of, alcohol. As part of this mission, the Board endeavors to ensure that products which pose a threat to public safety or are objectionable are handled appropriately in WSLCB retail stores.

The Board is particularly concerned about alcoholic beverage products, such as distilled spirits, wine, and malt beverages, which are marketed in a way that implies the consumption of these beverages has a stimulating or energizing effect. These beverages promote a situation where people may become inebriated, but cannot judge their own condition, which is contrary to human health and public safety, and therefore contrary to the mission of the Washington State Liquor Control Board (WSLCB).

Policy Statement

In cases where the Board determines a product's ingredients, packaging, or marketing, poses a threat to public safety or is objectionable, the Board may restrict access to those products in

WSLCB retail stores to varying degrees. Criteria for restricting a product include, but are not limited to:

- Appeal to minors: Packaging or labeling that is generally consistent with products that are marketed to or used by children, or in a style that is appealing to minors.
- Promotion of irresponsible behavior: Products that promote or imply the promotion of over-consumption, or illegal or irresponsible behavior.
- Indecency: Violation of a "reasonable person" standard of decency in product packaging.

Products may be restricted to one of the following levels:

- Customer Special Order only: Products will not be listed, and will not be available in retail stores for sale by the bottle. Cases could still be ordered by licensees or individuals for their own use at home or in on-premises establishments.
- Individual Special Order only: Products will not be listed, and will not be available in retail stores for sale by the bottle. Cases could be ordered by individual consumers only for their personal use. Licensees could not order these products for use in on-premises establishments.
- No orders: Products will be banned for sale in the state of Washington, will not be listed, and cannot be special ordered by any party.

Products that imply, in packaging or marketing claims, that consumption will have a stimulating or energizing effect or will enable consumers to drink more of the product without feeling the effects of alcohol will not be allowed to be sold in WSLCB retail stores in any manner.

Policy Implementation

Any product found to potentially be a threat to public safety, objectionable, or marketed as having a stimulating effect will be presented to the Board for a final determination.

Upon Board review and action, the product supplier and WSLCB retail stores will be notified as appropriate of the decision and any required actions to implement the Board's decision.

At no time shall a restricted product be displayed in a WSLCB retail store.