Welcome to the Washington State Liquor Control Board (WSLCB) Licensing Briefing

At the WSLCB, our most important task is to create a cooperative relationship with you through education. The WSLCB wants to help you succeed in liquor law compliance and assist with public safety in your communities.
Specific Class of License
Grocery Store

- Authorizes the sale of beer/wine for off premises sales only.
- Does not allow for the consumption of alcohol on the premises.
- **Inventory**: you must maintain $3000 (wholesale value) of grocery items for human consumption on the premises which excludes beer/wine, pop and non-edible food.
- **Exception**: Alcohol brought into the premises with a Banquet Permit or Special Occasion License.

WAC 314-02-100
RCW 66.24.360
Public Safety

Public safety is our common goal. Four public safety issues that are very important are:

- **Minors**
  - Selling or furnishing tobacco to a minor (under age 18)
  - Selling, furnishing, allowing possession or consumption of alcohol by a minor (under age 21)
  - Allowing minor(s) to frequent an age restricted area or premises

- **Over service**
  - Sales to apparently intoxicated persons
  - Allowing possession of alcohol by apparently intoxicated persons
  - Allowing consumption of alcohol by apparently intoxicated persons

- **Disorderly Conduct**
  - Allowing fights/not calling police
  - Owners or employees intoxicated on premises

- **Violations of RCW 69, 69A or 70** – Criminal conduct of owner, employees and/or patrons
The most common violations and complaints involve:

- Sales of liquor to apparently intoxicated persons
- Sales of liquor to persons under 21 years of age
Violations of Public Safety

- If you violate public safety laws or rules, administrative action may be taken against your liquor license. Administrative action could result in a monetary penalty, suspension, or cancellation of your liquor license privileges.

- BE SAFE. Please make sure that your staff is trained in liquor laws and company policy.
New Licensee Program

The WSLCB developed this program to provide technical assistance shortly after you receive your new license.

WSLCB officers will visit your premises to:

- Check your required signs
- Answer any questions
- Provide materials
- Review operations, especially those involving public safety
Sales to Apparently Intoxicated Persons

A licensee or employee may not supply liquor to any person apparently under the influence of liquor. A licensee or employee may not allow an apparently intoxicated person to possess or purchase liquor on the licensed premises.

RCW 66.44.200
WAC 314-16-150
Over Service

Over service (OS) is the term used when patrons are showing apparent signs of intoxication and any of the following:

- In possession of alcohol
- Being sold or given alcohol by your employees
What to do?

If a person is showing signs of intoxication how do you and your employees respond?

Your company policy needs to be clear and concise on how to handle the situation.

Under Washington State law you must remove the alcohol from the patron and refuse further service of alcohol.
Once The Patron is Cut Off, What’s Next?

Your company policy should tell your employees what to do.

- Who should remove the alcohol from the patron?
- How do you cut someone off of service?
- Does the patron get their money back?
- Should the person stay in your premises?
- Who is responsible to get them home safely?
Studies show approximately 50% of intoxicated drivers come from licensed establishments.

Source: Mosher, James
MINOR
RESTRICTIONS AND
AGE VERIFICATION
Sales to Minors

- No sales of alcohol to persons under 21 years of age.

  *Keep alcohol out of the hands of kids – It saves lives!*

- No sales of Tobacco to persons under 18 years of age.

  RCW 66.44.270
  WAC 314-11-025
Minors and Alcohol

No Exceptions!

Persons under 21 years of age can’t purchase or possess alcohol on your premises.

You and your employees must make sure that anyone that is buying or possessing alcohol is 21 years of age or older.

RCW 66.44.270
Youth Access to Alcohol

More than 90% of twelfth graders report that alcohol is “very easy” or “fairly easy” to get.

Don’t be an easy target for minors!

Source: Institute of Medicine National Research Council of National Academies
Company Policy on Age Verification:

- Your company policy will dictate the success of your business.

- Your company policy should direct your employees how and when to verify age.

- The only sensible way to identify minors is to check ID of youthful appearing people each and every time.
Checking ID

- To verify a person’s age, your company policy should direct your employees to check ID.

You should be very strict on this policy!

- When company policy directs an employee to check ID, only state approved ID’s are acceptable.
Checking ID

These are the only state approved acceptable ID’s. You may restrict this list, but may not accept additional forms of ID.

- Drivers License, ID card, or Instruction Permit issued by any state or Canadian Province
- Valid Washington Temporary Driver’s License
- US Military ID
- Merchant Marine ID
- Official Passport of any nation
- Washington State Tribal Enrollment Card
Requirements for All ID’s

- Photo of person
- Date of birth (DOB)
- Signature of person (exception: Military ID)
- Expiration date documents are not required to have an expiration date; if the identification does have an expiration date it must not be expired.

RCW 66.16.040
Proper ID Checking

- What does your company policy say about the proper way to check an ID?

- What is the best way to check an ID?

- To check an ID properly employees must use the features of the ID.
Licensee Certification Cards

A licensee certification card is a voluntary tool that is available for your business. If a customer comes into the premises and presents an acceptable ID, showing them to be over 21, but you have doubts, a certification card can be used.

- You can get the cards at local liquor stores or agencies – free.
- When correctly completed, they provide legal protection from criminal and administrative liability for the seller and licensee.
- If you fill one out, file it alphabetically, and keep it on your premises for inspection by any requesting law enforcement officer.

RCW 66.20.190
WAC 314-11-030
To Use Licensee Certification Cards

Front side

- Check box 1-6 for type of ID presented.
- Fill out ID number and request information.
- Employee fills out the top portion.

Person presenting the ID fills out the bottom portion and signs name.

Employee checks the signature on the card of identification with the signature on the certification card.
To Use Licensee Certification Cards

Rear side

INSTRUCTIONS TO LICENSEEES

Under the provisions of RCW 66.20.180 a retail licensee has the right and responsibility, before serving, to require persons of questionable age and appearance to prove they are of legal age to purchase liquor.

To obtain the protection afforded by RCW 66.20.210, you must require the person presenting this card of identification to complete the reverse side of this card. You must also complete the certification below.

The card must be officially issued, show the person's correct age, and bear his/her signature and photograph. By law the only acceptable cards of identification are: 1. Driver's License or Instruction Permit issued by any State or Province of Canada. 2. United States Armed Forces ID Card, active duty, reserve, retired and dependents. 3. Merchant Marine ID Card issued by the United States Coast Guard. 4. Official Card of Identification issued by the Liquor Control Authority of any State or Province of Canada. 5. Identification Card issued by the Washington State Department of Licensing or Identification Card issued by any State or Province of Canada. 6. Official Passport issued by any Nation. An expired Washington State Driver's License together with valid temporary Washington State Driver's License is considered an acceptable Washington driver's license.

WASHINGTON STATE LIQUOR CONTROL BOARD

LICENSEE’S OR EMPLOYEE’S CERTIFICATION

I hereby certify that the card of identification submitted was examined by me and I have checked the date of birth, and compared the photograph thereon with the person presenting said card. I have compared the signature on this card with that on the card of identification, and I am satisfied that the card properly belongs and relates to the person presenting it.

(To be signed by person who has checked card of identification) 

Print Name

Date of birth shown on card of identification: Time: Date:

WARNING: File this card on the premises on the day it is signed as prescribed by RCW 66.20.190.

Employee

1. Print and sign name.
2. Print DOB from ID presented.
3. Print time and date.
Compliance Checks

- Compliance checks are completed to determine that public safety is not being compromised.

- WSLCB, Police Departments and Health Departments can all perform compliance checks at your premises.
Compliance Checks

- The minor operatives do not look overly mature for their age.
- The minor operatives do not show fake or altered IDs. They may present their real ID or none at all.
- The minor, if asked, may say they are 21.
Private Compliance Checks

You may conduct your own compliance checks to ensure your employees are following the law.

- **You must receive prior written approval from the WSLCB.**
- You can use employees that you hire or you can contract with a third party that conducts the compliance checks.
- If your employees sell during a private compliance check, you cannot fire them on the first buy.
- For more information on a sample policy contact either the Restaurant Association at 1-800-225-7166 or your local Enforcement Office.

WAC 314-21
Compliance Check Rates

Through education, voluntary compliance by retailers, and partnerships with law enforcement, our state compliance rate in 2007 was:

- Liquor Laws 79%
- Tobacco Laws 87%
Licensed Business
Open to Inspection

Your licensed premises is open to inspection by WSLCB or local law enforcement anytime someone is in the premises.

RCW 66.28.090
WAC 314-11-090
Hours of Operation

The law allows liquor to be sold between 6 am and 2 am, seven days a week.

After 2 am no one may purchase alcohol at a licensed premises. Alcohol can not leave the premises.

Employees can clean up after 2 am.

Local governments may pass ordinances establishing earlier closing hours.

WAC 314-11-070
Record Keeping

All Licensees are required to keep records that clearly reflect all financial transactions and the financial condition of the business for two years.

What to keep

- Purchase invoices
- Bank statements and cancelled checks
- Accounting and tax records
- Records of all financial transactions related to the licensed business

WAC 314-11-095
Authorized Sources to Purchase Alcohol Inventory

Where to purchase?

**Grocery Stores:** Beer/Wine from licensed distributors, or domestic Washington breweries or wineries

You **can not** purchase liquor at any retail premises. No liquor can come onto your premises unless it was purchased from an authorized wholesale source within the state of Washington.

[WAC 314-16-110](#) and [WAC 314-16-160](#)
Drive-In and Curb Service Prohibited

You may not sell or serve liquor to customers by means of “drive-in” or “curb service”, which includes drive through windows.

WAC 314-11-015
True Party of Interest

Any person that has substantial interest in the licensed premises must be on the license. A substantial interest includes any of the following:

- Receipt of, or right to receive, more than 10% of gross sales or net sales of any kind from the premises
- An investment in licensed premises of at least $10,000
- Ownership of issued or outstanding stock in the business constituting more than 10%

WAC 314-07-080  WAC 314-12-030  WAC 314-07-035
Retail / Non-retail Relationships

When you do business with a beer / wine distributor these rules apply:

- All purchases must be paid for at the time of delivery.

- The distributors can bring the alcohol into your premises, stock the cooler and price the product.

- You can receive point of sale items for free. These items are posters, neon lights, and other items without value other than advertising.
Retail / Non-retail Relationships

- You can not receive equipment free from the distributors. Items like coolers, dispensing equipment and lights must be paid for at fair market value. They can not rent or lend any equipment, fixtures or property of any kind to you and vice versa.

- You must pay for any items that have a value or use, other than brand advertising. These items include items like coats, hats, napkins, coasters and glasses.

RCW 66.28.010
WAC 314-12-140
Retail / Non-retail Relationships

Methods of Payments

- Cash or checks

- Prepaid accounts. Both parties must keep accurate records of prepaid accounts to ensure a cash deposit is not overextended.

- Credit/debit cards and electronic funds transfer (EFT); the transaction must be voluntary with both parties. The sale must be initiated by an irrevocable invoice. Each party pays their banking costs. Both parties must maintain records of the transaction. The transaction must be initiated by the manufacturer or distributor no later than the first business day following delivery.

WAC 314-13-015
Sale of Liquor to Cover Cost of Acquisition

- When you sell alcohol, you must charge at least the amount that it costs you to serve it.
- Alcohol can not be used as a loss leader!

WAC 314-52-114

WAC 314-11-085
Prohibited Conduct on the Licensed Premises

- **Disorderly** - WAC 314-11-015
  Allowing disorderly conduct, or allowing any disorderly patron to remain, on a licensed premises is prohibited.

- **Lewd Conduct** - WAC 314-11-050
  Male and female dance reviews. Exposure of genitalia, acts of, or simulated sex acts.

- **Illegal Activity** - WAC 314-11-015
  Violations of RCW 9, 9A and 69.
Licensee Responsible for Acts of Employees

As the owner of the business you are responsible for every activity that occurs. You do not have to be present when a problem occurs to be responsible!

TRAINING, SUPERVISION and GOOD company policies are the keys. Give your employees the chance to succeed.
No Drinking on Duty by Licensee or Employees

- No licensee or employee may drink alcohol while working. Employees include DJ’s, musicians and Karaoke operators.

  - **Exception:** Restaurants may conduct courses of instruction on beer/wine and furnish beer/wine samples to employees.

- No employee or owner may be on their licensed premises while showing signs of intoxication, working or not.

WAC 314-11-015  RCW 66.24.400  WAC 314-01-005
Advertising

- **Trade Name** – [WAC 314-52-110](#)
  When you advertise you must include your approved trade name as it appears on your liquor license.

- **No Joint Advertising** – [WAC 314-52-090](#)
  The Beer/Wine Distributors can not induce you to advertise their brands. The Beer/Wine Distributors can not give you money, treats, services, or extra product to cover the cost of advertising.
Keg Registration

- Any licensed premises that sells kegs (containers that hold no more then 5 1/2 gallons) to go must fill out and affix a registration sticker on it prior to the keg leaving the premises.

- Grocery stores must buy the keg registration books from the WSLCB.

RCW 66.28.200

WAC 314-02-115
Keg Registration

The keg sticker must be filled out completely.

The name of the purchaser, phone number, address, DOB must be completed. NO exceptions.

The section showing where the keg is to be consumed or stored is very important. If this section is not filled out the purchaser of the keg may have legal problems when found with the keg.
Keg Registration

Completing the keg sticker.

- The form **must** be signed by the purchaser.
- You **must** record the type of ID used to purchase the keg.

Keep your copies on premises for possible inspection at least one year.
Lighting

Anywhere in the licensed premises where customers are allowed, you must keep the lights bright enough to be able to read identifications and observe your patrons clearly.

WAC 314-11-055
Free WSLCB ID/OS Training
Classes Available

The WSLCB can train you and your employees in conducting responsible liquor and tobacco sales. We can train at your location or at our offices. Please contact your local office to make arrangements.
Display of License Master License with Liquor Endorsements

Your master license must be displayed on the premises so that it is available for inspection by WSLCB and other law enforcement agencies. Most businesses display the license behind the counter.

RCW 66.24.010
WAC 314-11-060
WAC 314-12-030
Fetal Alcohol Syndrome (FAS) Signs Required

In your premises this sign must be posted in plain view.

The FAS sign must be posted either:
At the main entrance, and/or
At each point of sale, and/or
On each permanent display containing alcohol.

Get extra signs from the WSLCB Enforcement Office.

WAC 314-11-060
Tobacco Sign Required

- If you are licensed to sell tobacco products you must display this sign at each point of sale.

- If you have a machine dispensing tobacco products this sign must be posted on it. All machines must be in an area restricted from persons under 18. The machines must be over 10 feet from the entrances.

RCW 70.155, WAC 314-10-020, WAC 314-11-060
Minor Employment

Grocery Store

- Employees **18-20 years old** may handle alcohol products if another employee that is over 21 years old is supervising.

- Employees **under 18 years old** cannot handle any alcohol product, including stocking or selling.

- Employees of any age can deliver beer/wine to a customer's car with the purchaser.

RCW 66.44.340

WAC 314-11-040
Bagging Rule

There is NONE

Alcoholic products do not have to be put in bags when you sell them.
Changes Requiring WSLCB Approval

- **Sole Proprietors:**
  Changes in marital status must be reported to the WSLCB.
  This does not apply to corporate officers / stockholders.

- **Corporations:**
  If the principal officers of the corporation change.
  Principal officers generally are President, Vice President, Secretary and Treasurer.

  Anytime more than 10% of the outstanding issued stock is sold to a single entity; or an entity gains more than 10% of the issued stock, accumulatively.

  WAC 314-07-080
Changes Requiring WSLCB Approval

- **Change of Location** – When you want to move your business to another location you need to apply to the WSLCB.
  
  [WAC 314-07-085](#)

- **Trade Name** – After you are licensed and want to change your Trade Name you need to apply to the WSLCB.
  
  [WAC 314-07-090](#)
Assumption of License

When you **sell your business** to another person or entity they must apply to the WSLCB for a new license.

No one can operate on your license except you.

This includes if you are a sole proprietor and decide to incorporate, establish a LLC or go into a partnership.

RCW 66.24.025

WAC 314-12-070
Banquet Permits

- A banquet permit allows your licensed premises to be used by private individuals and groups if you wish.
- The permit allows private groups to bring alcohol on to your premises. You may charge a corkage fee.
- If the permit is to be active at the same time as the general public is in your premises, the permit area must be segregated from the general public.
- There is no selling of alcohol on a banquet permit.
- Spirits/Beer/Wine licensees can not have any of their product in the permit area.
- You are responsible for violations.

WAC 314-18
Special Occasion Licenses

- This is a license for a non-profit group to sell alcohol at specific time, date and place.
- The license is $60.00 per day per location.
- The application process is normally 45 days.
- Minors will not be allowed in your alcohol consumption area.
Special Occasion Licenses

- All alcohol is an individual serving for on-premises consumption.

- With approval, beer/wine can be sold to go, in original containers.

- All proceeds from the sale of alcohol must go directly back into the non-profit organization, except for reasonable operating costs of actual services performed.

- The WSLCB may request documents to verify the organization is a bona-fide nonprofit, who the true party(ies) of interest are, and that the organization meets the guidelines in WAC 314-05-020 and 025.

- All spirituous liquor must be purchased from a Washington state-run or contract store.
Special Occasion Licenses

- Beer and wine must be purchased at retail or from a beer or wine distributor. Breweries, wineries and out of state breweries and wineries holding a certificate of approval license may donate alcohol to special occasion license holders that are 501 (C) (3) charitable organizations.

- Alcohol manufacturers and importers and distributors may provide advertising, pouring, or dispensing of beer or wine at a beer or wine tasting exhibition or judging event. They may not provide money, goods, or services to special occasion licensees.

- Officers, directors, and/or stockholders of the organization may not have an interest in a manufacturer, importer, or distributor of alcohol.
Special Occasion Licenses

If the special occasion event is to be held at liquor licensed premises the special occasion function must be held in an area separate from areas open to the public, and the licensed premises’ liquor **cannot be sold or served** in the same area(s) as the special occasion license function.

- The liquor licensee cannot charge for the liquor purchased by the special occasion licensee for service at the special occasion event, but can charge for room usage, services etc.
- The liquor licensee must sign the special occasion application giving permission for the special occasion licensee to bring alcohol onto the premises.
- Special occasion licenses will not be issued for use at premises whose liquor license will be suspended on the date(s) of the scheduled event.

Tobacco

Rules for tobacco retailers:

Other Tobacco Product (OTP) includes cigars, chewing tobacco and any other products that contains tobacco but is not a cigarette.

- If you do not sell cigarettes but sell OTP you must get the tobacco license. Contact Washington State Department of Revenue to get the license.

- You must have a tobacco retailers license. The tobacco license also includes a license to sell OTP.

RCW 82.24.500 and RCW 82.24.090
Tobacco

Rules for cigarette and OTP retailers:

- All products must be purchased from a licensed Washington Wholesaler/Distributor. RCW 82.24.050, RCW 82.24.040

- All invoices showing purchases of products must be kept on the licensed premises for a minimum of five years. RCW 82.24.090

- All cigarettes in your premises must have a Washington Tax Stamp on the package.

- No single cigarette sales. This does not include individual cigarettes that are packaged and have a tax stamp.

RCW 82.26.080, RCW 82.26.170, RCW 70.155.040
Tobacco

These are the stamps for the State of Washington:
Tobacco

Sales of cigarettes from a machine:

- The machine must be located in an area that only 18 year and older people can access.
- The machine must be located at least 10 feet from any entrance.
- Each machine must be licensed.
- The expiration date, which is on the license, must be attached to the machine.
- The machine must have a minor warning sign on it.

RCW 70.155
This is the end of your licensing briefing. If you have additional questions or want more information, please call your local liquor enforcement officer.

Please use the attached form and e-mail the completed form to:

EnfCustomerService@liq.wa.gov

Or mail the form to: WSLCB Enforcement
3000 Pacific AVE SE
Olympia WA 98504-3094