

## **OFFICE OF THE WASHINGTON STATE LIQUOR CONTROL BOARD MEETING**

*January 7, 2004*

The meeting of the Washington State Liquor Control Board was called to order at 11:00 a.m., on Wednesday, January 7, 2004 in the Board conference room, 3000 Pacific Avenue SE, Olympia, Washington, by Board Member Roger Hoen. Board Member Vera Ing was present. Tony Kim, Administrative Assistant to the Board summarized the minutes.

### **Staff Recognition – Saving Dollars by Going digital**

Board Members and Pat Kohler

The “Saving Dollars by Going Digital” team saved the agency over \$18,000 in 2003 by replacing the print shop’s copy machine with a new Canon digital copy machine. The new machine requires less paper and staff time. It also reduces postage costs by printing items in booklet form, decreasing the weight and volume of required mailings. Overall, it enables the print shop to provide better customer service and more professional looking copies. The team members are Mike Wolfe, Support Services Manager, Vicki Garrett, Mailroom Supervisor, and Steve Reno, Print Shop.

The team members were given letters from the Governor commending them for their efforts to improve the quality and performance for state government.

### **Policy, Legislative, and Media Relations Division – Proposed Revised Rules Regarding Labeling for Strong Beer; Teresa Berntsen, Rules Coordinator**

The Liquor Control Board is considering amending WAC 314-20-020 to require labels for “strong beer” to list the beer’s alcohol content. “Strong beer” is defined in law as a malt beverage containing more than 8% alcohol by weight, which is about 10% by volume.

Currently suppliers have to receive label approval for beers sold in Washington State, but the labels are not required to list the alcohol content. This amendment would add the alcohol content requirement for strong beer only.

Senate Bill 5051, effective July 1, 2003, allows strong beer to be distributed by private distributors and to be sold by grocery stores, convenience stores, and beer/wine specialty shops. Previously, strong beer could only be sold “to-go” in state or contract liquor stores.

The Liquor Control Board is proposing to create this rule because consumers are accustomed to beer being approximately 3.5% to 5.5% alcohol by volume. Placing the alcohol content on the label for beers over this traditional range would inform consumers

of the higher alcohol content.

No comments provided during this public hearing.

## Policy, Legislative, and Media Relations Division – Preliminary Rule Making

**Regarding Revised Rules on Mandatory Alcohol Server Training;** Teresa Berntsen, Rules Coordinator

Ms. Berntsen requested Board approval to begin the first stage of rule making regarding proposed changes to chapter 314-17 WAC, which outlines the mandatory alcohol server training (MAST) program.

This issue was discussed with the Board at the December 16, 2003 Board Work Session.

### Process

If approved, she will file a notice of intent to revise this rule (CR-101). This stage of the rule making does not include proposed language; rather we announce our intent and gather feedback (Ms. Glidden's proposed preliminary draft could be used to facilitate input). After the initial comment period, staff will draft proposed rule language, which will be presented to the Board for approval to file a notice of rule making (CR-102).

Following is an approximate timeline for rule making:

January 7	Board asked to approve filing of preliminary rule making notice (CR-101)
January 7	Next deadline to file proposed rule with Code Reviser
January 21	Code Reviser publishes notice, LCB sends notice to stakeholders
March 3	<i>Earliest</i> Board can approve filing of CR-102

March 3	Next deadline to file proposed rule with Code Reviser, LCB sends notice to stakeholders
April 7	<i>Earliest</i> Board can hold public hearing
April 14	End of comment deadline
late April	Board decides to 1) adopt rule as written or with minor changes, OR 2) to make substantive changes (if #2, must send out new language and hold new public hearing)
late April	Agency sends out notice to persons who gave comment
Early May	Agency files adopted rules with Code Reviser
<b>early June</b>	<b>Rules effective</b> (31 days after filing)

carried.

**Policy, Legislative, and Media Relations Division – Approval For Proposed Rule Making Regarding Sampling in Beer/Wine Specialty Shops; Teresa Berntsen, Rules Coordinator**

Ms. Berntsen requested Board approval to proceed with rule making at the request of a petition from the Washington Wine Institute and Pam Zyck, owner of the Washington Wine Warehouse, a wine specialty shop. The petitioners asked the Board to amend WAC 314-02-105 to eliminate the restriction that the eight-ounce per person sample limit for wine specialty shops not be limited to four individual samples.

**BACKGROUND**

This issue was originally discussed with the Board at the October 7, 2003 Board Work Session. On November 13, 2003 the agency published a preliminary rule making notice, and the deadline for comment ended on December 5, 2003.

**RECOMMENDATION**

Based on comment received from the public and after working with the petitioners for rule making, staff, and legal counsel, staff recommend that the agency file the attached proposed rule language and schedule a public hearing.

Following is an approximate timeline for rule making:

January 7	<i>Earliest</i> Board can approve filing of CR-102
January 7	Next deadline to file proposed rule with Code Reviser, LCB sends notice to stakeholders
February 19	<i>Earliest</i> Board can hold public hearing
February 23	End of comment deadline
Early March	Board decides to 1) adopt rule as written or with minor changes, OR 2) to make substantive changes (if #2, must send out new language and hold new public hearing)
Early March	Agency sends out notice to persons who gave comment
Mid March	Agency files adopted rules with Code Reviser
Mid April	Rules effective (31 days after filing)

Board Member Ing moved for approval. Board Member Hoen seconded the motion, and it was carried.

**Purchasing Services Division – Potential New Listings/ Rejections**

Gary Thompson, Deputy Director

Based on presentations made by supplier representatives on December 18, 2003, discussions with members of the listing committee, tasting reports on product samples and other factors, I recommend that the Board approve the following listing/rejection actions.

<u>Description</u>	<u>Recommendations</u>
Grey Goose La Vanille Flavored Vodka, 750 ml (\$29.95)	List as M
Poison Wild Berry Schnapps Liqueur, 750 ml (\$19.95)	Reject
Viper Sour Apple Schnapps Liqueur, 750 ml (\$19.95)	Reject
Sting Sour Raspberry Schnapps Liqueur, 750 ml (\$19.95)	Reject
Liquid Ice Organic Grain Vodka, 750 ml (\$29.95)	Reject
2 ½ Cross Polish Vodka, 750 ml (\$13.80)	Reject
Danzka Vodka, 750 ml (\$17.95)	Reject
Danzka Citron Lemon Flavored Vodka, 750 ml (\$17.95)	Reject
Danzka Grapefruit Flavored Vodka, 750 ml (\$17.95)	Reject
Herencia De Plata Anejo Tequila, 750 ml (\$46.70)	Reject
Herencia De Plata Reposado Tequila, 750 ml (\$42.95)	Reject
Herencia De Plata Silver Tequila, 750 ml (\$41.10)	Reject
XXX Siglo Treinta Tequila Gold, 750 ml (\$18.80)	Reject
Hardy VS Cognac, 750 ml (\$22.35)	Reject
Extase XO Orange Cognac Liqueur, 750 ml (\$52.30)	Reject
Redrum Voodoo Spiced Rum, 750 ml (\$16.95)	Reject

Board Member Ing moved for approval. Board Member Hoen seconded the motion, and it was carried.

**The Meeting was adjourned at 10:25 a.m.**