

NEW SECTION

WAC 314-02-103 What is a wine retailer reseller endorsement?

(1) A wine retailer reseller endorsement is issued to the holder of a grocery store liquor license to allow the sale of wine at retail to on-premises liquor licensees.

(2) No single sale to an on-premises liquor licensee may exceed twenty four liters.

(3) A grocery store licensee with a wine retailer reseller endorsement may accept delivery at its licensed premises or at one or more warehouse facilities registered with the board.

(4) The holder of a wine retailer reseller endorsement may also deliver wine to its own licensed premises from the registered warehouse; may deliver wine to other licensed premises, or to other facilities registered to the board pursuant to WAC 314-02-104.

(5) A grocery store licensee wishing to obtain a wine retailer reseller endorsement that permits sales to another retailer must possess and submit a copy of their basic wholesale permit under the Federal Alcohol Administration Act. This permit must provide for purchasing wine for resale at wholesale.

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WAC 314-02-104 Central warehousing. (1) Each retail liquor licensee having a warehouse facility where they intend to receive wine and/or spirits must register their warehouse facility with the board by submitting the following information:

(a) Documentation that shows the licensee has a right to the warehouse property;

(b) A sketch of the interior of the warehouse facility indicating the designated area the licensee will be storing product. There must be a physical barrier separating product purchased by different ownership entities. (Example: If ABC Grocery and My Grocery, each licensed to a different ownership entity, both lease space in a warehouse facility, the wine and/or spirits must be in separate areas separated by a physical barrier.)

(2) Retail liquor licensees must keep the following records for three years:

(a) Purchase invoices and supporting documents for wine and/or spirits purchased; and

(b) Invoices showing incoming and outgoing wine and/or spirits (product transfers).

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WAC 314-02-106 What is a spirits retailer license? (1) A spirits retailer licensee may not sell spirits under this license until June 1, 2012. A spirits retailer is a retail license. The holder of a spirits retailer license is allowed to:

(a) Sell spirits in original containers to consumers for off-premises consumption;

(b) Sell spirits in original containers to permit holders;

(c) Sell spirits in original containers to on-premises liquor retailers, for resale at their licensed premises, although no single sale may exceed twenty-four liters; and

(d) Export spirits in original containers.

(2) A spirits retailer license that intends to sell to another retailer must possess a basic permit under the Federal Alcohol Administration Act. This permit must provide for purchasing distilled spirits for resale at wholesale. A copy of the federal basic permit must be submitted to the board. A federal basic permit is required for each location from which the spirits retailer licensee plans to sell to another retailer.

(3) A sale by a spirits retail licensee is a retail sale only if not for resale to an on-premises spirits retailer. On-premises retail licensees that purchase spirits from a spirits retail licensee must:

(a) Maintain a schedule by stock-keeping unit of all their purchases from spirits retail licensees, indicating the identity of the seller and the quantities purchased; and

(b) Provide a quarterly report for each scheduled item containing the identity of the on-premises spirits retailer and the quantities of each item purchased since the preceding report to:

(i) A distributor authorized by the distiller to distribute a scheduled item in the on-premises spirits retailer licensee's geographic area; or

(ii) A distiller acting as a distributor of the scheduled item in the area.

(4) The annual fee for a spirits retail license is one hundred sixty-six dollars.

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WAC 314-02-107 What are the requirements for a spirits retail license? (1) The requirements for a spirits retail license are as follows:

(a) The premises must be at least ten thousand square feet of fully enclosed retail space within a single structure, including store rooms and other interior auxiliary areas, not encumbered by a lease or rental agreement (floor plans one quarter inch to one foot scale may be required by the board); and

(b) Submit an acknowledgment form indicating the licensee has a security plan which addresses:

- (i) Inventory management;
- (ii) Employee training; and

(iii) Physical security of spirits product with respect to preventing sales to underage or inebriated persons and theft of product.

(2) A grocery store licensee or a specialty shop licensee may add a spirits retail liquor license to their current license if they meet the requirements for the spirits retail license.

(3) The board may not deny a spirits retail license to qualified applicants where the premises is less than ten thousand square feet if:

(a) There is no spirits retail license holder in the trade area that the applicant proposes to serve;

(b) The applicant meets the operation requirements in WAC 314-02-107 (1)(b); and

(c) If a current liquor licensee, has not committed more than one public safety violation within the last three years.