



Washington State Liquor and Cannabis Board

To: David Postman, Board Chair
Ollie Garrett, Board Member
Russ Hauge, Board Member

From: Kathy Hoffman, Policy and Rules Manager

Date: September 29, 2021

Copy: Rick Garza, Agency Director
Toni Hood, Deputy Director
Justin Nordhorn, Policy and External Affairs Director
Becky Smith, Licensing and Regulation Director
Chandra Brady, Director of Enforcement and Education

Subject: Request for approval to rescind Board Interim Policy (BIP) 02-2017 concerning private label spirits (WAC 314-12-146).

On September 6, 2017, the Board approved Board Interim Policy 02-2017 to clarify the requirements for production of private label spirits between a distiller, craft distiller, or spirits certificate of approval holder, and a spirits retail licensee. Specifically, BIP 02-2017 amended WAC 314-12-146 in the following ways:

- Provided that there may be no exclusivity between the producer and the retailer for a private label spirits product. The product must be reasonably available to all retailers licensed to sell the spirits product;
- A copy of the contract between the producer and the spirits retailer for all private label spirits products must be submitted to the board; and
- A distiller, craft distiller, or spirits certificate of approval holder must submit a TTB certificate of label approval for each private label produced to the board for approval.

BIP 02-2017 was designed to be rescinded upon the adoption of rules to make the BIP permanent. Permanent rules were adopted on April 4, 2018 as WSR 18-08-091, effective May 5, 2017. As a result, BIP 02-2017 is no longer necessary.

If the Board approves rescission of BIP 02-2017, the agency will send notice to stakeholders, and remove the BIP from the LCB website.

The Board approves/disapproves the rescission of BIP 02-2017.

_____ Approve

_____ Disapprove

David Postman, Chair

Date

_____ Approve

_____ Disapprove

Ollie Garrett, Board Member

Date

_____ Approve

_____ Disapprove

Russ Hauge, Board Member

Date