



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BIP 02-2017 was designed to be rescinded upon the adoption of rules to make the BIP permanent.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

9.29.2021
Date

Approve Disapprove



Ollie Garrett, Board Member

9.29.2021
Date

Approve Disapprove

Not Present

Russ Hauge, Board Member

9.29.2021
Date




Washington State
Liquor and Cannabis Board


Liquor and Cannabis Board Interim Policy BIP-02-2017


Subject: Private Label Spirits

Effective Date: September 6, 2017

Ending Date: Upon adoption of rules to implement this policy.

Approved: 
Jane Rushford, Chairman


Ollie Garrett, Board Member


Russ Hauge, Board Member

Purpose:

The purpose of this interim policy is 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.

Policy Statement

(1) Distilleries, craft distilleries, or spirit certificate of approval holders may produce private label spirits for spirits retailers under the following conditions:

- There may be no exclusivity between the producer and the retailer for the 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
- The 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 review.