



## OREGON LIQUOR CONTROL COMMISSION Law Orientation for Distillery Licensees

BUSINESS NAME \_\_\_\_\_ DATE \_\_\_\_\_  
(Trade Name)

NAME OF APPLICANT \_\_\_\_\_  
(Use name of Corporation or LLC if applying as a legal entity)

### **INFORMATION AND RESOURCES FOR DISTILLERY LICENSEES**

Distillery licensees must have their products listed with OLCC in order to have their products available at Oregon Retail Liquor Agency Stores. Please call OLCC Purchasing Division at 503-872-5019 to request an informational packet.

Distillery licensees can apply to OLCC to be appointed as a retail agent for the purpose of making "to go" sales of the distilled spirits distilled in Oregon under the privileges of their license. You can contact OLCC Retail Services Division at 503-872-5021 to request an application packet.

Distillery licensees may provide sample tastes of products manufactured by their distillery. OLCC is in the process of making rules that define the tastings that are allowed on the licensed premises. You can get view the proposed rules by going to [www.oregon.gov/OLCC](http://www.oregon.gov/OLCC) and clicking on Liquor Laws and Rules, and then on OLCC Proposed Rulemaking. The proposed rules are listed under Distillery Tasting Rules, Distillery Rulemaking. OLCC will notify distilleries when the new rules are approved.

The OLCC publication "What Every Store Clerk Needs to Know About Selling Alcohol" has good information for you and your employees about age verification, acceptable ID, and refusing sales to persons who are visibly intoxicated.

The laws and rules under the "Tied House" Prohibitions and Financial Assistance sections below include limitations and prohibitions on financial assistance given by alcohol wholesalers and manufacturers to alcohol retailers. Under Oregon laws, Distillery licensees are wholesalers and manufacturers.

### **REFERENCES FOR THIS LAW ORIENTATION**

In the text below, ORS refers to Oregon Revised Statutes, and OAR refers to Oregon Administrative Rules. The OLCC Law Book and links to Oregon Administrative Rules and Oregon Revised Statutes are available on-line at [www.oregon.gov/OLCC](http://www.oregon.gov/OLCC). Click on Liquor Laws and Rules to access these documents. You can also request the laws and rules on a CD or in a hard copy format by calling 503-872-5003 or by e-mailing a request to [Joy.Evensen@state.or.us](mailto:Joy.Evensen@state.or.us).

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**COMPLETING THIS LAW ORIENTATION**

To complete this law orientation you must read the statutes and rules referenced below, sign the statement at the end of this form, and submit the signed forms to OLCC with your license application packet. If you have questions regarding a specific statute or rule, please contact your license investigator or your local OLCC office.

**LICENSE PRIVILEGES**

ORS 471.230                      Distillery License

**LICENSE REQUIRED**

ORS 471.403                      License required to produce alcoholic liquor.  
ORS 471.440                      Manufacture, fermentation or possession of mash, wash, or  
wort; establishment or operation of distillery without license;  
prima facie evidence.  
ORS 471.162 (7)                  Persons exempted from licensing requirements.  
ORS 471.038                      Non-beverage food products; (5) purchase of distilled spirits  
used in non-beverage food products from other distilleries.  
OAR 845-004-0100              Production of Alcohol for Fuel.

**RENEWALS, TIMELINES AND FEES**

ORS 471.311                      Application for license; rules; fees.

**DISTILLED SPIRITS TASTINGS AND SAMPLING**

OAR 845-005-0428              Retail On-premises distilled spirits sampling involving  
distillery representative.  
OAR 845-006-0349              Activities on college campuses.  
OAR 845-006-0353              Distilled spirits samples and promotions from a distillery  
representative.  
OAR 845-015-0180              Distilled spirits samples offered to retail sales agents.  
ORS 471.360                      Service Permit required.

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**DISTILLED SPIRITS TASTINGS AND SAMPLING (Continued from Page Two)**

ORS 471.365	Characteristics of a permit, verification of identity of permittee.
ORS 471.375	Service Permit application, requirements, fee.
OAR 845-009-0005	Service Permit requirements.
OAR 845-009-0015	Licensee and authorized person's responsibility for verifying identification.

**VIOLATIONS**

ORS 471.315	Grounds for cancellation or suspension of license or imposition of civil penalty.
ORS 471.412	Allowing visibly intoxicated person to consume alcoholic beverages.
ORS 471.430	Misrepresentations by licensee and others; maintenance of disorderly establishment.
OAR 845-006-0301	Age verification; minors on licensed premises.
OAR 845-006-0345(1)	Prohibited conduct.
OAR 845-006-0347	Noisy, disorderly or unlawful activity, drinking alcohol outside the premises.
OAR 845-006-0360	Maintenance of License Certificate, registration document, minor posting sign.
OAR 845-006-0361	Operating while suspended.
OAR 845-006-0360	Responsibility of licensee for conduct of others.
OAR 845-006-0425	Hours of sale.

**"TIED HOUSE" PROHIBITIONS**

ORS 471.394	Prohibition on sales at both wholesale and retail; prohibition of financial connection between retailer and wholesaler.
ORS 471.396	Exceptions to prohibition on financial on financial connection between wholesaler and retailer.
ORS 471.398	Prohibition of financial assistance from wholesaler to retailer
ORS 471.400	Exception to prohibition of financial assistance; rules
ORS 471.401	Exception from tied house prohibition for sale of advertising

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to arena.

**FINANCIAL ASSISTANCE**

- OAR 845-013-0001 Financial assistance; purpose, limitation, definitions and record keeping.
- OAR 845-013-0010 Substantial gratuities.
- OAR 845-013-0020 Money, credit, discounts.
- OAR 845-013-0030 Fixtures, furniture, furnishings.
- OAR 845-013-0040 Advertising.
- OAR 845-013-0050 Point of sale material.
- OAR 845-013-0060 Items of nominal value.
- OAR 845-013-0070 Services of nominal value.
- OAR 845-013-0075 Schematics.
- OAR 845-013-0090 Wholesale-retail relations: non-profit special licenses.
- OAR 845-013-0100 Wholesale-retail relations: sale at both wholesale and retail.
- OAR 845-013-0110 Wholesale-retail relation: prohibited conduct.

By signing below, I certify that I have read the full text of the Oregon Revised Statutes, Oregon Administrative Rules and Booklets listed on this law orientation form. (An authorized Officer must sign below if the applicant is a corporation; the Managing Member must sign on behalf of a Limited Liability Company.)

\_\_\_\_\_  
Signature of Applicant      Date

\_\_\_\_\_  
Signature of Applicant      Date

\_\_\_\_\_  
Signature of Applicant      Date

\_\_\_\_\_  
Signature of Applicant      Date

**Mailing address: OLCC, PO Box 22297, Milwaukie, OR 97269-2297**

(rev. 05/09)