

§460. Agency liquor store taste testing of spirits

1. Taste testing on agency liquor store premises. Subject to the conditions in subsections 2 and 2-A, the bureau may authorize an agency liquor store stocking at least 100 different codes of spirits products to conduct taste testing of spirits on that licensee's premises. An agency liquor store may not allow any other consumption of liquor on the agency liquor store's premises, except as permitted under section 1206.

[PL 2021, c. 658, §77 (AMD).]

2. Conditions for conducting taste-testing events. The conditions under this subsection apply to taste-testing events under this section.

A. Spirits may not be served to persons who have not yet attained 21 years of age. [PL 2019, c. 79, §1 (AMD).]

B. A person may not be served more than a total of 1 1/2 ounces, in 1/2 ounce servings, of spirits having an alcohol content of 80 proof or less; and, for spirits containing an alcohol content of greater than 80 proof, a person may not be served more than a total of 3/4 of an ounce in 1/4 ounce servings. [PL 2019, c. 79, §1 (AMD).]

C. Spirits must be dispensed using a standard measuring device. [PL 2019, c. 79, §1 (AMD).]

D. [PL 2019, c. 79, §1 (RP).]

E. A person may not be charged a fee for any spirits served as part of a taste-testing event. [PL 2019, c. 79, §1 (AMD).]

F. A person may not be served who is visibly intoxicated. [PL 2009, c. 459, §1 (NEW).]

G. A taste-testing event must be limited to a designated area. [PL 2019, c. 79, §1 (AMD).]

H. A taste-testing event must be conducted within the hours of retail sale established in this Title. [PL 2019, c. 79, §1 (AMD).]

I. [PL 2019, c. 79, §1 (RP).]

J. The agency liquor store may conduct an unlimited number of taste-testing events per month. If the agency liquor store complies with the applicable requirements of sections 1205 and 1207, the agency liquor store may offer wine and malt liquor for tasting at the same time as spirits. [PL 2021, c. 131, §1 (AMD).]

K. A taste-testing event is not allowed in any municipality where on-premises and off-premises sales are not allowed pursuant to chapter 5. [PL 2019, c. 79, §1 (AMD).]

L. [PL 2019, c. 79, §1 (RP).]

M. [PL 2015, c. 184, §2 (RP).]

M-1. [PL 2023, c. 349, §1 (RP).]

M-2. Spirits served at a taste-testing event must be:

- (1) Provided by the agency liquor store;
- (2) Purchased, at the retail price, by a licensed sales representative participating in the taste-testing event from existing stock available for purchase at the agency liquor store; or
- (3) Provided by a licensed sales representative participating in the taste-testing event or a spirits supplier, including those licensed under section 1355-A, participating in the taste-testing event and purchased in the State at the retail price. A record of the transaction under this subparagraph must be maintained and made available to the bureau. After the taste-testing event is concluded,

the licensed sales representative or spirits supplier shall remove all products supplied for the taste-testing event from the licensee's premises. [PL 2023, c. 349, §2 (NEW).]

N. Prior to a taste-testing event, the agency liquor store shall post prominently at the entrance to the store a sign that announces the date and time of the event. [PL 2013, c. 368, Pt. V, §33 (AMD).]

O. An agency liquor store, with prior approval from the bureau, may conduct an invitation-only taste-testing event at the agency liquor store's premises in place of or to coincide with a taste-testing event that is open to the public. A taste-testing event that is exclusively invitation only is not subject to the posting requirement in paragraph N. [PL 2009, c. 510, §3 (NEW).]

P. Spirits may be poured for the taste-testing event only by the owner or an employee of the agency liquor store, by a sales representative licensed under section 1502 or by the spirits supplier. [PL 2021, c. 658, §78 (NEW).]

[PL 2023, c. 349, §§1, 2 (AMD).]

2-A. Written permission from the bureau. An agency liquor store must obtain the written permission of the bureau before conducting a taste-testing event using the following procedure.

A. The agency liquor store shall request authority to conduct a taste-testing event using forms prescribed by the bureau. [PL 2019, c. 79, §1 (NEW).]

B. The agency liquor store may submit a separate form for each taste-testing event or a single form listing some or all of the taste-testing events the agency liquor store requests authority to conduct in a calendar month under this section, section 1205 and section 1207. [PL 2019, c. 79, §1 (NEW).]

C. The request must indicate the date and time for each taste-testing event and the liquor product or products that will be offered at each event. [PL 2019, c. 79, §1 (NEW).]

D. [PL 2021, c. 658, §79 (RP).]

[PL 2021, c. 658, §79 (AMD).]

3. Rules. The bureau may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2013, c. 476, Pt. A, §17 (AMD).]

SECTION HISTORY

PL 2009, c. 459, §1 (NEW). PL 2009, c. 510, §§1-3 (AMD). PL 2011, c. 103, §1 (AMD). PL 2013, c. 368, Pt. V, §§33, 34 (AMD). PL 2013, c. 476, Pt. A, §17 (AMD). PL 2015, c. 129, §§1, 2 (AMD). PL 2015, c. 184, §§1-3 (AMD). PL 2015, c. 329, Pt. D, §1 (AMD). PL 2015, c. 329, Pt. D, §4 (AFF). PL 2019, c. 79, §1 (AMD). PL 2019, c. 404, §6 (AMD). PL 2021, c. 131, §1 (AMD). PL 2021, c. 658, §§77-79 (AMD). PL 2023, c. 349, §§1, 2 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.