



Sampling Beer at a Retail Account FAQ

UPDATED: AUGUST 8, 2019

Q: CAN I POUR SAMPLES OF MY BEER TO CUSTOMERS AT A BAR (ON-PREMISE LOCATION)?

A: B&P Code section 25503.55 allows a beer manufacturer to furnish tastings at an on-premise retail license as part of an educational instructional event (in which you talk about the taste, styles, etc. of the beer) as follows:

- Samples may not exceed 8 ounces per person (per day). Samples can be in any size up to a single 8 ounce serving.
- So, you can pour a consumer two 4 ounce servings, one 8 ounce sample, four 2 ounce samples, etc. Samples may be a variety of brands, but no more than 8 ounces of beer total per person
- Samples must be served in a cup or glass and not in the original container
- Samples must be served to the consumer by an employee of the on-premise retail license
- Advertising of the event is limited to interior signs within the licensed retailer where the event is held
- The tasting event may not last more than one hour
- The retailer must pay for the product sampled and it must be from the retailer's inventory. You may not bring the product for sampling, unless you first sell it to the retailer at posted prices
- You may not conduct more than 6 tasting events at a single retailer per year
- You must maintain records of each tasting event. Records must include the date of the tasting, address of the retail location, brands and quantity served *NOTE: these provisions do not apply to off-premise retail licenses

Q: CAN I PROVIDE SAMPLES TO A LICENSED RETAILER?

A: Per Code of Regulations (CCR) 52 in the ABC Act, "samples of beer may be given to licensed retailers or their employees or agents. Samples may be given only to licensees who have not previously purchased the particular product, for the sole purpose of permitting them to determine the grade, type, and quality of the alcoholic



beverages.” Samples “shall not exceed in quantity one bottle or can” and “must be opened at the premises of the licensee.” You are **NOT** allowed to leave unopened samples behind. You are required to keep a record of all samples that are given away. Records “shall be completed within seven calendar days following removal from stock.” “The record shall state: the brand, type of alcoholic beverage and size of the sample package; the name of the salesman who removes the sample package and the date of such removal; the name of the licensee to whom any sample is given, together with the brand, type of alcoholic beverage, and quantity thereof, and the date the sample is given. Such records of samples shall be retained for a period of three years.

QUESTIONS?

CCBA members can send ABC questions to abc@californiacraftbeer.com for free consultation services.