

# **CALIFORNIA CRAFT BREWERS' ASSOCIATION WINTER CONFERENCE**

## **Staying Compliant With ABC Laws**

*December 3, 2021*

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*CA Alcoholic Beverage Control*

# COVID REGULATORY RELIEF

- 18 items of regulatory relief adopted
- Approx. half rescinded at the end of June 2021
  - Returns—must now fully comply with section 23104.2
  - Extension of credit—must now fully comply with section 25509
- Others remain in effect through December 31, 2021
  - Free delivery
  - Expanded licensed premises
  - Virtual “meet the brewer” dinners
  - Charitable promotions
  - “Cocktails to go”

# NEW LAWS RELATED TO COVID RELIEF

- AB 61 and SB 314—Expanded Licensed Area
  - Extends ABC relief for 365 days following the end of the declared state of emergency (or July 1, 2024)
  - Subject to same requirements as under regulatory relief (e.g., requires local approval if in public area such as park or sidewalk)
  - May be summarily cancelled if any problems
- AB 83 and SB 94—License Renewal Fee Waiver
- AB 1149—Stocking and Shelving
  - Expands existing authority to engage in certain merchandising at retail premises
  - Now includes singles serve wine and RTD distilled spirits products

- **AB 1267—Charitable Promotions**
  - Authorizes promotion of charitable donations based upon the purchase of sealed containers of alcohol
  - Donation may not directly encourage consumption of alcohol
- **SB 389—Sale of Open Containers**
  - Authorizes until January 1, 2027, the sale of “cocktails to go”
  - On-sale restaurants may now sell pre-poured single serve containers of wine and up to 2 mixed drinks or cocktails (per meal and depending on license type)
  - Breweries that operate a restaurant at the licensed premises of production may sell pre-poured single serve containers of wine
  - May only be sold with a bona fide meal (as defined in ABC guidance dated July 5, 2020)
  - Must be picked up by the person ordering the beverage (i.e., no delivery)
  - Pre-poured beer may not be sold

# THINGS TO PAY ATTENTION TO

- Responsible Beverage Server (RBS) Training:
  - Any licensed business that serves alcohol for consumption on the premises
  - Employees who serve alcohol, their managers and supervisors
  - Must be certified by July 1, 2022 (extended from 2021 due to COVID)
  - Go to: [www.abc.ca.gov/education/rbs/](http://www.abc.ca.gov/education/rbs/)
- Online Price Posting:
  - All beer manufacturers and wholesalers should be transitioning to online posting
  - Go to: [www.abc.ca.gov/licensing/beer-price-posting/](http://www.abc.ca.gov/licensing/beer-price-posting/)
  - Questions: [pps@abc.ca.gov](mailto:pps@abc.ca.gov)
  - Beer brand registration: form ABC-412 must be emailed ([beerbrandregistration@abc.ca.gov](mailto:beerbrandregistration@abc.ca.gov)), faxed (916-928-7625), or mailed (ABC HQ)

**QUESTIONS?**