

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 649

S.P. 240

In Senate, February 26, 2013

An Act To Facilitate Consumer Taste Testings

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TUTTLE of York.
Cosponsored by Representative LUCHINI of Ellsworth and
Representative: MASON of Topsham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 28-A MRSA §460, sub-§2, ¶M**, as enacted by PL 2009, c. 459, §1, is
3 amended to read:

4 M. The agency liquor store must purchase all distilled spirits served at a taste testing
5 from the wholesale liquor provider as defined in section 501 unless the distilled
6 spirits are purchased from the agency liquor store's existing stock by a licensed
7 distiller, a licensed manufacturer of distilled spirits, a sales representative licensed
8 under chapter 59 or the State's wholesale liquor provider participating in the
9 taste-testing event at the agency liquor store. Products purchased from the agency
10 liquor store's existing stock to be used for consumer taste testing must be labeled by
11 the agency liquor store with a sticker reading "for sampling purposes only, not for
12 resale." Partially consumed bottles of products used for taste testing must be
13 removed by the agency liquor store from the licensed premises following the
14 taste-testing event.

15 **Sec. 2. 28-A MRSA §1205, sub-§2, ¶K**, as corrected by RR 2009, c. 2, §79, is
16 amended to read:

17 K. The retail licensee must purchase all wine served at a taste testing from a
18 wholesale licensee unless the wine is purchased from the retail licensee's existing
19 stock by a licensed winery, a certificate of approval holder, a wholesale licensee or a
20 sales representative licensed under chapter 59 participating in the taste-testing event
21 at the retail licensee's premises. Products purchased from the retail licensee's existing
22 stock to be used for consumer taste testing must be labeled by the retail licensee with
23 a sticker reading "for sampling purposes only, not for resale." Partially consumed
24 bottles of products used for taste testing must be removed by the retail licensee from
25 the licensed premises following the taste-testing event;

26 **Sec. 3. 28-A MRSA §1207, sub-§2, ¶K**, as enacted by PL 2009, c. 459, §4, is
27 amended to read:

28 K. The retail licensee must purchase all malt liquor served at a taste testing from a
29 wholesale licensee unless the malt liquor is purchased from the retail licensee's
30 existing stock by a licensed brewer, a certificate of approval holder, a wholesale
31 licensee or a sales representative licensed under chapter 59 participating in the
32 taste-testing event at the retail licensee's premises. Products purchased from the retail
33 licensee's existing stock to be used for consumer taste testing must be labeled by the
34 retail licensee with a sticker reading "for sampling purposes only, not for resale."
35 Partially consumed bottles of products used for taste testing must be removed by the
36 retail licensee from the licensed premises following the taste-testing event.

37 **SUMMARY**

38 This bill allows manufacturers and suppliers of alcoholic beverages and certain
39 licensed sales representatives to purchase alcoholic beverages from a retail licensee's
40 existing stock for use exclusively in a consumer taste-testing event held at the retail
41 licensee's premises. The bill requires the retail licensee to apply a sticker to the product

1 to be used for the taste-testing event stating that the product is for sampling purposes and
2 not for resale. The bill requires the removal of the remainder of the sampled products
3 from the retail licensee's premises following the taste-testing event.