

REGULATIONS

Part I: General Provisions

A Permits

Sec. 30-6-A1. New applications

When a complete and correctly executed new application for a permit is received at the office of the department for action, a placard and a form for publication of notice of application shall be mailed to the applicant and an investigation shall be made to evaluate conformance with the statutes, regulations and policies of the department. The proper permit fee and non-refundable filing fee in the form of a certified check, postal money order, bank check or cash shall accompany the application. The department may, in its discretion, accept a noncertified check, credit card, or debit card. An application may be conditionally approved by the department, but no permit shall be issued until the applicant complies with all statutes, regulations, policies and stipulations of the department. No applicant shall sell or deliver or offer or expose for sale or delivery, or ship and transport or import into the state any alcoholic liquor until a permit is issued.

(a) All new applications, except applications for airline, boat, broker, caterer, out-of-state shipper for liquor, out-of-state shipper for beer only, transporter, and railroad permits, shall be accompanied by: zoning officer approval for the proposed use; town clerk approval for the proposed hours of sale; a notarized copy of the pharmacy commission certificate of fitness if the application is for a druggist permit; a notarized copy of the commission on special revenue license if the application is for a permit provided for by section 30-33b of the Connecticut General Statutes; and police approval if the application is for a temporary permit, special club permit or charitable organization permit. The department shall require approval from the local fire marshal for on-premises consumption permits, except airline, boat, caterer, and railroad permits, before a permit shall be issued. Aforementioned additional certifications need not accompany the application, but shall be submitted to the department within a reasonable time to be determined by the department. Applicants shall submit such other certifications as the department may require. If approval is given for a permit for a building which has not been constructed, the applicant and backer shall present to the department a signed stipulation setting forth a time limit for the construction and occupancy for the proposed permit premises, and no permit shall be issued where such applicant and backer fails to conform with such stipulation order.

(b) (1) Every application for an on-premises permit, other than a boat permit, caterer permit, railroad permit, military permit, or airline permit, shall be accompanied by a diagram, sketch, plan or blueprint of the layout of the premises, including performance or stage areas where applicable, eight and one half inches by eleven inches in size with measurements indicated thereon. (2) Every application for a permit, other than a boat permit, caterer permit, charitable organization permit, transporter permit, railroad permit, out-of-state shipper's permit for alcoholic liquors, out-of-state shipper's permit for beer only, military permit, airline permit, special club permit, temporary liquor permit, or temporary beer permit shall be accompanied by one photograph of the exterior of the proposed premises, to be taken from a position directly across the street or highway. Such photograph shall be eight inches by ten inches in size. (3) Every application for a grocery store beer permit also shall be accompanied by photographs eight inches by ten inches in size showing the entire interior of the sales area of the grocery store.

(c) Every application for an on-premises consumption permit, except caterer, railroad, boat, airline, military, charitable organization, special club, temporary liquor, and

temporary beer permit shall be accompanied by photographs of the completed interior of the premises as the department may require. Such photographs shall be eight inches by ten inches in size.

(d) Every applicant for a new restaurant permit shall demonstrate to the satisfaction of the department that adequate staff and facilities will be provided for the operation of the premises as a bona fide restaurant.

(e) Every applicant for a manufacturer or wholesaler permit shall provide a photostatic copy of the federal basic permit, and no such applicant shall be issued a permit until the department receives notification from the Department of Revenue Services that a proper tax bond has been posted by the manufacturer or wholesaler for his proposed premises.

(f) A new application shall be filed whenever there is a change in ownership of the permit premises, except for situations covered by section 30-6-A4 of the Regulations of Connecticut State Agencies, or in situations where the corporate structure changes but the individuals who comprise the current ownership remain the same. The backer or owner on the new application shall not exercise any ownership or dominion over such business until such time as such backer has been approved by the department. If such application is filed less than sixty days prior to the expiration date of the existing permit, the permittee on the existing permit shall be required to file a renewal in order to assure the continuance of the business. The department will permit the dating back of new permits to the expiration date of the previous permit on the premises involved in the change of ownership, where the department is satisfied that the new application was filed in accordance with the provisions of this section.

(g) Applicants shall affix the supplied placard to the outer door of the proposed premises. The placard must be maintained there in a legible condition while the application is pending before the department. Whenever an application is filed for a permit for a building which has not been constructed, or if the outer door of the proposed premises is more than twenty-five feet from the public sidewalk or the edge of the highway, the applicant shall, not later than the day following the date of receipt of the placard, cause to be erected on the proposed location a sign, no less than six feet by four feet in size. Such sign shall set forth the fact that a permit is being requested, the date of receipt of the placard, the type of permit applied for, the name of the proposed permittee, and the name of the proposed backer-owner. The placard shall be attached to such sign. The following form and elements are required for such sign:

of each stockholder of the corporation, and of any corporation having a financial interest in the backer, and the number of shares of stock issued to each stockholder. No transfer by sale or otherwise of any of the shares of stock of the backer corporation, or the corporation which has a financial interest in the backer, may be made or any additional shares of stock issued without notice to and approval by the department except a corporation whose stock is publicly held and sold on a bona fide stock exchange. In publicly held companies of more than one hundred employees, transfers of stock as a result of a bonafide employee stock benefit shall not be filed with the department. In such cases where approval is required, the corporation backer, or any corporation having a financial interest in the backer, shall send to the department for approval a list showing the existing stockholders and the number of shares held, and the proposed stockholders and the proposed number of shares to be held. Notwithstanding any of the foregoing, the department reserves the right to determine the suitability of any stockholder of any corporate backer or stockholder of a corporation which has a financial interest in a corporate backer.

(b) No person, corporation or group of persons or corporations who, through stock ownership or otherwise, control or have the power to control a permit business of one class shall control or have the power to control a permit business of another class of permit, except as permitted by the Connecticut General Statutes.

(c) Repealed, October 28, 1977.
(Effective November 23, 1982; Amended October 1, 2001)

Sec. 30-6-A5. Change of corporation officers

Any change or changes in the officers of a backer corporation or in its board of directors, or board of trustees, shall be forwarded to the commissioner not later than thirty days following such change or changes.

Sec. 30-6-A6. Return of permits: reinstatement

A permit shall be returned immediately to the office of the division of liquor control upon (1) any change of ownership at a permit premises, except changes covered by section 30-6 A4 of the Regulations of Connecticut State Agencies, (2) discontinuance of business for any reason for more than sixty days, or (3) the suspension or revocation of business in connection with a disciplinary action by the division. If the premises are to be closed for sixty days or less, a letter to this effect should be forwarded to the division. A permit returned to the division under subsection (2) shall be considered to be under voluntary suspension. A permit may be renewed while it is under voluntary suspension but the division may not accept more than one such renewal application. Upon request by the permittee or backer in good standing, the division may reinstate the permit. Voluntary suspension shall not relieve the permittee and backer of liability under the liquor control act or under the Regulations of Connecticut State Agencies. The sale, consumption or dispensing of alcoholic liquor shall be prohibited at any permit premises while such permit is under voluntary suspension.

(Effective June 24, 1980; Amended October 1, 2001)

Sec. 30-6-A6a. Termination of permittee's employment

No permittee whose employment has terminated shall remove his permit from the premises, but he and his backer shall notify the department within sixty days of such termination. Following such termination the backer shall designate a substitute permittee within forty-eight hours and notify the department that a substitute has been designated. Within sixty days, the backer shall make application for a certificate of permanent substitution for such designee. The backer shall be considered the permittee until such time that a substitute permittee has been approved by the department.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A7. Substitute certificate

Certificates of permanent substitution of a permittee shall be recorded with the town clerk of the town within which the business is situated, in the same manner as is provided by statute for the recording of a permit.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A7a. Repealed, October 1, 2001.

Sec. 30-6-A8. Suspensions; offers in compromise in lieu of suspensions; revocations

(a) A revocation terminates the life of the permit. A suspension makes the permit inactive for the time indicated by the department.

(b) A permit and any certificate of permanent substitution issued in conjunction therewith may be revoked or suspended after due hearing for any violation, either by the permittee, the backer or their agent, of the liquor control act or of any regulation issued by the department.

(c) The revocation or suspension shall become effective not earlier than forty-five days after the mailing of the order of such revocation or suspension by the Department, except in cases of emergency actions pursuant to section 4-182 (c) of the Connecticut General Statutes, or unless an earlier effective date is agreed to by the permittee and backer, or unless otherwise ordered by the department.

(d) During the period of any suspension as a result of disciplinary action by the department, no permittee shall alter his premises, unless alterations have been expressly approved by the department, nor shall a permittee attach to the exterior or any other part of his permit premises any sign or signs indicating that his premises are "closed for repairs," "closed for alterations" or any such like signs.

(e) Whenever a permit is suspended as a result of disciplinary action by the department, there shall be placed on the permit premises in the front window facing the street, or inside of the door used as a main entrance, if such door is mainly composed of glass and such entrance is located on or adjacent to a street, a placard furnished by said department. This placard shall contain the length of the suspension and the reasons therefor. This placard shall be maintained in place by the permittee until the period of suspension has terminated. A second placard shall be displayed at such place within the permit premises visible to the public as shall be determined by the department.

(f) No alcoholic liquors shall be sold, delivered, offered, ordered or received during the period of suspension. Whenever any permit is under suspension, all liquors shall be securely locked during the period of such suspension. During the period of suspension, a package store shall remain closed for all business. A package store permittee may visit the premises only for the needful care and maintenance of the premises.

(g) During the period of suspension of any manufacturer or wholesaler permit, no sales shall be made and no liquors shall be delivered, nor shall the customers of such permittee be visited or solicited; however, clerical help may be employed.

(h) Whenever a penalty is given on a seasonal permit, it shall be stipulated on renewal that it shall be surrendered at some time during the season wherein the permittee operates, the time to be designated by the department.

(i) Except in the case of a suspension following a final conviction under section 30-57 of the Connecticut General Statutes, the department may, in its discretion, accept an offer in compromise in lieu of a suspension from a permittee or backer whose permit has been suspended after due hearing. Such offer must be submitted in writing not later than ten days from the date of the order of such suspension and must include a waiver of appeal and judicial

review, and a certified check in the amount designated by the department. In the event the department imposes concurrent penalties for more than one violation, then the amount of the fine shall be computed on the number of effective days imposed.

(j) Following a final conviction of the permittee under section 30-57 of the Connecticut General Statutes, upon reaching a decision after due hearing, the department may, in its discretion, notify the permittee and backer in writing as to the amount which may be accepted in lieu of a suspension, indicating the penalty which shall otherwise be imposed. Unless a written offer which shall include a waiver of appeal and judicial review and a certified check in the amount designated by the department are received within ten days from the date of the department's letter, the department shall issue an order suspending the permit for the period of time indicated. In the event the department imposes concurrent penalties for more than one violation, then the amount of the fine shall be computed on the number of effective days imposed.

(k) In considering the amount which may be accepted as an offer in compromise in lieu of suspension, the department may use the following formula:

$\$75 \times \text{number of days of suspension} = \text{offer}$

(Effective January 4, 1990; Amended October 1, 2001)

Sec. 30-6-A8a. Offer in compromise in lieu of a hearing; citations

(a) Whenever the department obtains information or evidence of an alleged violation of the regulations or of the general statutes on any permit premises, and such alleged violation is of a nature to cause institution of proceedings directed to the suspension or revocation of the permit, the department may, at its discretion, accept a petition from the permittee or backer as an offer in compromise in an amount determined by the department. Acceptance of petitioner's offer by the department shall constitute a waiver of petitioner's right to a hearing before the department and any right of appeal to a court with respect to charges pending before the department. Nothing contained in the foregoing shall be construed in any manner as a prejudgment on the part of the department but is instituted for the purpose of benefiting both the permittee and the department in terms of the saving of time, expense and energy.

(b) In matters involving evidence of violation of the following sections of the Liquor Control Act or Regulations of Connecticut State Agencies, the department may accept an offer in compromise in lieu of a hearing in the pre-set amount of fifty dollars:

Conn. Gen. Stat. Sec. 30-21 (a)-Hotel food availability.

Conn. Gen. Stat. Sec. 30-22-Restaurant food availability.

Conn. Gen. Stat. Sec. 30-22a-Cafe food availability.

Conn. Gen. Stat. Sec. 30-23a-Guest book requirements at clubs.

Conn. Gen. Stat. Sec. 30-38-Lockable storage requirements.

Conn. Gen. Stat. Sec. 30-53-Permit recorded.

Conn. Gen. Stat. Sec. 30-54-Permit displayed.

Conn. Gen. Stat. Sec. 30-86a, Reg. Sec. 30-6-A24 (j)-Age statement forms available.

Reg. Sec. 30-6-A12-Permittee name displayed.

Reg. Sec. 30-6-A12a-Trade name notification.

Reg. Sec. 30-6-A17-Lockable storage.

Reg. Sec. 30-6-A23-Sanitation.

Reg. Sec. 30-6-A27(c) - Failure to sign or stamp invoice.

Reg. Sec. 30-6-A27(d)-Invoices.

Reg. Sec. 30-6-A40(j)-Price posting.

Reg. Sec. 30-6-B25a-Daily records.

Reg. Sec. 30-6-B55-Locked beer coolers at grocery stores.

In such cases permittees may receive from department agents, at the time of inspection, preprinted citation forms identifying the violation and containing offers and waivers of the nature described in subsection (a) above which may be filled out and returned to the department together with a certified check in the amount of fifty dollars. Returns received within fourteen days of issuance will be considered for acceptance by the department. Acceptance of a permittee's return and offer shall constitute a waiver of the permittee's right to notice of hearing before the department, and any right to appeal to a court with respect to the charges. If no return is made, or if the offer is not accepted, such events shall not be construed in any manner to prejudge further proceedings before the agency. Nothing in the foregoing shall be construed in any manner as a prejudgment on the part of the department, but it is instituted for the purpose of benefiting both the permittee and the department in terms of the saving of time, expense and energy.

(Effective October 5, 1989; Amended October 1, 2001)

Sec. 30-6-A9. Permittee responsible for actions of employee or agent

In disciplinary proceedings, it shall be no defense that an employee or agent of a permittee or backer acted contrary to order, or that a permittee or backer did not participate in the violating action or actions. A permittee and backer shall be held strictly liable for any violation of the statutes, regulations, policies and stipulations of the department when such violation concerns their permit premises or their applications regarding their proposed permit premises.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A9a. Repealed, October 1, 2001.

Sec. 30-6-A10. Refusal of cooperation by permittees and backers

No permittee or backer or his agent shall refuse to cooperate with or give information to the department, the police authorities or any other enforcement agency upon any matter arising out of the conduct of the permit premises.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A11. Repealed, April 18, 1991.

**B
Premises**

Sec. 30-6-A12. Permittee's name to appear on permit premises

The name of the permittee or, in the case of permanent substitution, the name of the substitute permittee shall appear at all times on a sign adjacent to the main entrance to the permit premises in such a manner as to be plainly visible from the sidewalk or street adjacent thereto.

(Effective January 26, 1973)

Sec. 30-6-A12a. Notification of trade name change

The permittee, backer, or his agent shall notify the department of any changes in trade name within thirty days of its adoption or change.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-A13. Repealed, October 1, 2001.

Sec. 30-6-A14. Repealed, September 30, 1983.

Sec. 30-6-A15. Repealed, October 1, 2001.

Sec. 30-6-A16. Removal of permit business

The department may require a waiting period of twenty-one days before any decision is made on any request for the removal of a retail or wholesale permit business.

(a) Any permittee who desires to move his permit business from the present location to another shall make application on forms prescribed by the department and, in addition, shall publish this request, on forms which shall be provided, in a newspaper having circulation in the town in which such business is located, once a week for two successive weeks, the first publication to be not more than seven days after the receipt of the placard. The applicant shall affix, not later than the day following its receipt, a placard, provided by the department, upon the outer door of the building wherein such place of business is to be located, clearly readable from the public highway, and shall maintain the same in legible condition. Whenever an application is filed for a building which has not been constructed, or if the outer door of the proposed premises is more than twenty-five feet from the public sidewalk or the edge of the highway, the applicant shall, not later than the day following the date of receipt of the placard, cause to be erected on the proposed location a sign, at least six feet by four feet in size. The placard shall be attached to such sign. The following form and elements are required for such sign:

THE DEPARTMENT OF CONSUMER PROTECTION	
LIQUOR PERMIT REMOVAL REQUESTED FOR THESE PREMISES	
	DATE: . . .
TYPE OF PERMIT: . . .	
PERMITTEE: . . .	
BACKER-OWNER: . . .	
REMOVAL FROM: . . .	
TYPE OF ENTERTAINMENT, IF ANY:	
OBJECTIONS MUST BE RECEIVED BY DCP BY	AT
LIQUOR CONTROL DIV., 165 CAPITOL AVE., HARTFORD, CT 06106	
(Placard)	

Such sign shall consist of black letters of a minimum height of four inches on a white background. It shall be placed in close proximity to the street or highway with a clear and unobstructed visibility to the passing public, and shall be maintained on the premises for twenty-one days. The attached placard shall be protected from the weather. The applicant shall make a return to the department, under oath, of compliance with the foregoing requirements.

(b) A return shall be made to the department, under oath, of compliance with the foregoing requirements, on forms prescribed by the department.

(c) Every application for the removal of any on-premises permit other than a boat permit, caterer permit, railroad permit, military permit, or airline permit shall be accompanied by a diagram, sketch, plan or blueprint of the layout of the proposed new premises. Measurements shall be indicated thereon.

(d) Every application for the removal of a permit, other than a caterer, transporter, boat permit, railroad permit, out-of-state shipper's permit for beer only, out-of-state shipper's

permit for alcoholic liquors, military permit, airline permit, temporary liquor permit, or temporary beer permit shall be accompanied by one photograph of the exterior of the proposed premises. The photograph shall be eight inches by ten inches in size.
(Effective November 3, 1978; Amended October 1, 2001)

Sec. 30-6-A17. Storage

(a) Each permittee, except the holder of an out-of-state shipper, package store, caterer transporter, or temporary permit, shall provide and maintain on the premises described in and covered by his permit an adequate and a safe and secure place of storage for alcoholic liquor, under lock and key and accessible only to the permittee and his responsible agents, such place of storage being the only location where alcoholic beverages are to be delivered by a wholesaler. This place of storage shall be subject to the approval and inspection of the department. The department may, upon written request and justification therefor, permit the storage of liquor under the aforesaid conditions, elsewhere under the control of the permittee. Such request shall be accompanied by a sketch of the location of the proposed storage area and denoting the distance to the permit premises.

(b) Whenever there is a common or cooperative ownership of two or more retail liquor premises and the permittees transfer alcoholic beverages from one such retail premises to another, pursuant to the provisions of section 30-38a of the Connecticut General Statutes, such permittees shall, within thirty days thereafter, file with the department a list of the items so transferred.

(c) Storage of alcoholic liquor in places used as dwellings or in places of abode is prohibited, except in the case where the only permit held is a caterer permit, in which case it shall be at the usual place of business.

(d) Any storage of alcoholic liquors other than in a place approved by the department is a violation of this section.

(e) Any permittee desiring to store alcoholic liquors in the tax-free portion of any warehouse operating under a bonded warehouse storage permit shall make application to the department on forms prescribed therefor. No holder of a bonded warehouse storage permit shall accept for storage in a tax-free portion of the warehouse any alcoholic liquors from any permittee unless such permittee produces an application for warehouse free storage which has been approved by the department.

(Effective September 30, 1983; Amended October 1, 2001)

C

Employees

Secs. 30-6-A18 through 30-6-A20. Repealed, September 30, 1983.

D

Conduct of Business

Sec. 30-6-A21. Hours of sale

Whenever hours of time are set forth in the Liquor Control Act they shall be interpreted to mean clock time which shall be either eastern standard time or eastern daylight time, whichever one is then being observed. When eastern daylight time ends on a Sunday morning at two a.m. and clocks are turned back to one a.m. eastern standard time, no further sales, consumption or presence in glasses of alcoholic beverages shall be permitted.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-A22. Repealed, September 30, 1983.

Sec. 30-6-A23. Sanitation

(a) (1) Rooms used for the retail dispensing of alcoholic beverages shall be clean, well lighted and ventilated and free from flies and vermin. All plumbing shall be of a sanitary construction and kept in sanitary condition. (2) Premises which are licensed for consumption on the premises shall be provided with separate and adequate toilet facilities which shall bear suitable signs. The department may, in its discretion, waive the requirement for separate facilities in cases of hardship. Upon a showing of changed conditions, the department may revoke the waiver after due notice and an opportunity for a hearing has been provided. Toilet rooms shall be adequately lighted, ventilated, and screened to exclude flies. Toilet bowls, sinks and other toilet fixtures shall be kept in good repair and in a sanitary condition. Single service towels or suitable hand drying units and soap or other suitable cleansing agents shall be provided. (3) The bar shall be clean and in good repair and shall contain a suitable sink and drain board to which shall be piped an adequate supply of hot and cold running water. All beverage pipe lines shall be kept clean. (4) Air intakes for pressure dispensing systems shall be to pure air supplies. (5) There shall be an adequate supply of clean drinking receptacles available at the bar at all times. Utensils, dishes and drinking glasses shall be clean before each use. (6) All foods in storage or on display shall be either wrapped or stored in clean, closed containers. (7) Operators and employees of such alcoholic beverage dispensing places shall have clean hands and wear clean clothing while engaged in dispensing such beverages and shall be free from communicable diseases.

(b) Beer or wine pipe lines and barrel tubes used for the dispensing of alcoholic beverages in places where such dispensing is carried on shall be cleaned at least once each week, by the use of hydraulic pressure mechanism, hand pump suction or a force cleaner or other system approved by the department, or shall be permanently kept clean by a device approved by said department. After cleaning, the lines shall be rinsed with clear water until all chemicals, if any have been used, have been removed.

(c) Beer or wine shall not be caused or permitted to flow through copper or lead tubing unless such copper or lead tubing is isolated so that the beer or wine does not come in direct contact with the copper or lead.

(d) Beer or wine may be charged with gas by any of the following methods: By the use of carbon dioxide, nitrogen or carbonic gas, or by the use of electrical, hydraulic or mechanical pumps. If pumps are used, the intake for such pumps shall be taken from the outside of the building where fresh and clean air is available, and such intake shall be protected by a suitable filter or filters.

(e) A record card shall be used to record the dates of the cleaning of beer or wine pipe lines, coils, tubes and appurtenances. Said card shall be signed by the person who performs the cleaning operation and countersigned by the permittee. Such cards shall be kept upon the permit premises for a period of one year from the date of the last entry and shall be available at all times for inspection by an agent of the department and by the local health enforcement officers.

(f) On permit premises which are allowed to utilize bulk containers or dispensers for wine, such bulk containers or dispensers shall contain only such wine that has been poured from the original sealed containers. The remaining contents of any unit of wine previously delivered to a customer shall not be reused or resold.

(Effective April 16, 1991; Amended October 1, 2001)

Sec. 30-6-A23a. Fire safety

(a) No permit premises shall be operated in violation of the fire safety code or other rules and regulations of the state or local fire marshal.

(b) Where the local fire marshal ascertains there exists a serious violation of the fire safety code, and where the fire marshal notifies the permittee or backer of such violation, and where the permittee fails to abate such hazard or remedy such condition within a reasonable period of time as specified by the local fire marshal, and the department finds that the public health, safety or welfare requires emergency action, the permit of such premises may be suspended immediately, pursuant to section 4-182(c) of the Connecticut General Statutes, and such suspension shall remain in effect until the condition is corrected or a hearing held before the department.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A24. Conduct of permit premises

(a) No disturbances, brawls, unlawful conduct or gambling of any kind except where provided by the general statutes, and no slot machines or gambling devices which may be used for the purpose of securing money or any other valuable things, shall be permitted or suffered upon any permit premises, nor shall such premises be conducted in such a manner as to constitute a nuisance.

(b) No person shall be employed or otherwise used on permit premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals. No person on the permit premises over whom the permittee can reasonably exert control, shall be permitted to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person, nor shall any person or employee be permitted to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion thereof.

(c) No entertainment shall be performed on any bar. No entertainer, dancer, or other person shall perform acts of or acts which simulate: sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; the touching, caressing or fondling of the breasts, buttocks, anus or genitals; the displaying of any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals. No permittee shall permit any person or entertainer to remain in or upon the permit premises who exposes to public view any portion of the pubic hair, anus cleft of the buttocks, vulva or genitals. Entertainers shall perform only in fixed locations approved by the department. Entertainers may not mingle with the patrons. However, the prohibition contained in the last sentence may be waived by the department upon written request indicating the desirability and necessity for entertainers to mingle with the patrons.

(d) No minor, except if legally emancipated, shall be employed as a dancer on any permit premises unless his or her parent or legal guardian has signified consent thereto, in a notarized statement which shall be kept upon the permit premises.

(e) The showing of film, still pictures, electronic reproduction or other reproductions depicting the following shall be in violation of the Regulations of Connecticut State Agencies: acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; any persons being touched, caressed or fondled on the breast, buttocks, anus or genitals; scenes wherein a person displays any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals; scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described in the above.

(f) A permittee shall be held strictly accountable for the conduct of his permit premises.

(g) Age statement forms as required by section 30-86a of the Connecticut General Statutes must be obtained and a supply kept available on the premises.

(h) Repealed, September 30, 1983.

(Effective September 30, 1983; Amended October 1, 2001)

Sec. 30-6-A24a. Juice bars

(a) No permittee shall operate a juice bar or similar facility for the entertainment of minors at a permit premises unless the juice bar or facility is limited to the entire permit premises wherein there is no sale, consumption, dispensing or presence of alcoholic liquor on the date the premises is used as a juice bar or similar facility.

(b) The permittee shall notify local police in advance of the scheduled event that the premises will be used as a juice bar or similar facility for the entertainment of minors, specifying dates and hours.

(Effective May 2, 1985; Amended October 1, 2001)

Sec. 30-6-A24b. Restrictions on drink promotions

(a) Definitions. (1) The term —“drink” as used in this section means a unit of liquid containing alcoholic liquor customarily considered in the on-premises consumption retail alcoholic beverage trade as a single serving for one person including, but not limited to, a double, half-bottle, half-carafe and split. (2) The term —“private function” as used in this section means any gathering of persons for ceremony or entertainment or any other purpose provided such event shall not be open to the general public during the event and shall be restricted to invited guests.

(b) Restrictions. No permittee, backer, or employee or agent of same, at any on-premises consumption place of business, shall: (1) sell, offer, or deliver more than one drink to any one person for his/her own consumption at any one time. A second serving may be allowed only after the first serving has been substantially disposed of or consumed; (2) sell, offer or deliver drinks by the pitcher or other vessel containing more than one drink except to two or more persons, excluding minors as defined by the Liquor Control Act, at any one time. A second serving may be allowed only after the first serving has been substantially disposed of or consumed; (3) sell, offer or deliver to any person an unlimited number of drinks during any set period of time for a fixed price; (4) encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes.

(c) Private Functions and Hotel Guest Bars. The provisions of this section shall not apply to private functions held in a room or rooms at any on-premises consumption place of business or to hotel guest bars.

(d) Nothing in this section shall be construed as an exception to any other provision of the Liquor Control Act or Regulations of Connecticut State Agencies, especially those respecting hours and days of sale, the sale of alcoholic liquor to minors or intoxicated persons.

(Effective January 31, 1986, amended March 3, 1995; Amended October 1, 2001)

Sec. 30-6-A25. Repealed, May 3, 1966.

Sec. 30-6-A26. Repealed, January 26, 1973.

Sec. 30-6-A27. Records of liquor purchases and sales

(a) No retail permittee shall purchase or accept any shipment of alcoholic liquors for delivery from any wholesaler or manufacturer permittee, unless there shall accompany such purchase or shipment an invoice setting forth the number of cases or fraction thereof of each brand, the size of the containers, the price thereof and the name of the seller.

(b) Every holder of a manufacturer or wholesaler permit shall maintain a complete record of each sale of alcoholic liquors made by him, which shall include the number of cases

or fractions thereof, the size of the containers of each brand, the price thereof, the name of the purchaser and a true and accurate statement of the terms and conditions on which such sale is made and, in addition thereto, shall simultaneously furnish to the purchaser, with each shipment for delivery, an invoice setting forth in detail the information set forth above. Any terms and conditions of the sale not stated on such invoice shall constitute a violation. Such records shall be maintained in ledger sheet or similar form so as to present readily a chronological account of the dealings of such manufacturer or wholesaler with each vendee.

(c) No wholesaler shall deliver, and no permittee shall receive, any merchandise unless upon receipt of such merchandise from a wholesaler permittee, the retailer affixes by rubber stamp or signs the invoice with information containing the trade name of the retailer, the name of the permittee and the signature or initials of the recipient of the merchandise.

(d) All invoices and records referred to in the foregoing subsections of this regulation shall be maintained on the permit premises, or at such other location as the department may in writing authorize, for at least two years from the date of the transactions recorded thereby, and shall be available for inspection and copying by agents of the department at any time during business hours.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-A28. Vending machines prohibited and automatic bar equipment controlled

(a) No automatic coin operated mechanism shall be used on any permit premises to dispense alcoholic beverages to a consumer.

(b) No automatic bar equipment shall be used on any permit premises without the approval of the department. The source of alcoholic beverages in an automatic system shall be arranged so as to readily permit inspection. All spigots in the system shall be accurately labeled.

(c) No self-service system, whereby a patron may serve his own alcoholic liquor, shall be used on any permit premises except as permitted under hotel guest bar permits.

(Effective June 24, 1980, amended March 3, 1995)

Sec. 30-6-A29. Inducements to purchase; tie-in sales; solicitation

(a) No permittee in transactions with another permittee shall directly or indirectly offer, furnish, solicit or receive any free goods, discounts, gratuities, gifts, prizes, coupons, premiums, combination items, quantity prices, cash returns, loans, guarantees, inducements or special prices, or other inducements with the sale of alcoholic liquors.

(b) No permittee shall require any purchaser to accept additional liquors in order to make a purchase of any particular desired item.

(c) No direct consumer solicitation, in person or by mail, shall be directly or indirectly engaged in by any distiller, out-of-state shipper, manufacturer or wholesaler.

(d) No out-of-state shipper, manufacturer or wholesaler shall expend moneys directly or indirectly for the purpose of sales promotion and advertising and thereby give a rebate, kickback or discount by means of returning to permittees or proprietors a percentage of the total cost of merchandise purchased from such wholesaler in the nature of free drinks, sampling, advertising and other types of sales promotion.

(e) These provisions shall apply to transactions between all types of permittees, and are intended to prevent artificial stimulation of sales of liquor by any means.

(f) Notwithstanding any provisions of this section to the contrary, an out-of-state shipper or manufacturer licensee may offer to wholesaler licensees funds to be used for product promotion as permitted by federal law and in accordance with the following: (1) There shall be no restrictions or obligations on the use of such funds, except that such funds shall be used for promotion of the product(s) identified; (2) Funds shall be offered without

discrimination in any manner among wholesalers authorized to distribute the products to be promoted, except that funds may be pro-rated among such wholesalers based upon population of their authorized geographic territory for the product(s) involved, as determined by the most recently completed decennial census; or based upon any other formula not prohibited by section 30-63 or 30-94 of the Connecticut General Statutes; (3) Out-of-state shippers and manufacturers shall file with the department, at least thirty days before the distribution of funds, written notice listing the following: (A) The total amount of funds to be distributed and the proposed date of distribution; (B) The product(s) to be promoted and the wholesalers authorized to distribute such products; (C) If funds are distributed based on population served, the population in the geographic territories of each wholesaler, and the eligible share of funds expressed as a percentage; If any other formula is used, a detailed exposition of such formula used; and (E) The amount of promotional funds each is to receive. (Effective February 9, 1989; Amended October 1, 2001)

Sec. 30-6-A30. Repealed, November 24, 1964.

Sec. 30-6-A30a. Advertising. Mandatory statements

(a) Application. No person engaged in business as a producer, manufacturer, bottler, importer, wholesaler or retailer of alcoholic liquor, directly or indirectly, or through an affiliate, shall publish or disseminate or cause to be published or disseminated in any newspaper, magazine or similar publication any advertisement of alcoholic liquor, unless such advertisement is in conformity with this section and section 30-6-A31a of the Regulations of Connecticut State Agencies; provided said sections shall not apply to the publisher of any newspaper, magazine or similar publication, unless such publisher is engaged in business as a producer, manufacturer, bottler, importer, wholesaler or retailer of alcoholic liquor, directly or indirectly, or through an affiliate.

(b) Definitions. As used in this section and section 30-6-A31a of the Regulations of Connecticut State Agencies, "advertisement" includes any advertisement of alcoholic liquor through the medium of newspapers, magazines or similar publications, except that such term shall not include: (1) Any label affixed to any containers of alcoholic liquor or any individual covering, carton or other wrapper of such container; (2) any editorial or other reading matter in any periodical or publication or newspaper for the preparation or publication of which no money or other valuable consideration is paid or promised, directly or indirectly, by any person subject to said sections, and "person" means any individual, partnership, joint-stock company, business trust, association, corporation or other form of business enterprise, including a receiver, trustee or liquidating agent.

(c) Mandatory statements. (1) Responsible advertiser. The advertisement shall state the name and address of the producer, manufacturer, bottler, importer, wholesaler or retailer responsible for its publication. Street name and number may be omitted in the address. (2) Class, type and distinctive designation. The advertisement shall contain a conspicuous statement of the class and type, or other designation, of the product, corresponding with the complete designation which appears on the brand label of the product. (3) Alcoholic content. The alcoholic content shall be stated in the manner and form in which it appears on the labels of alcoholic liquor, other than beer and wine, advertised. (4) Percentage of neutral spirits and name of commodity. In the case of alcoholic liquor, other than beer and wine (not including cordials, liqueurs, and specialties), produced by blending or rectification, if neutral spirits have been used in the production thereof, there shall be stated in the advertisement the percentage of neutral spirits so used and the name of the commodity from which such neutral spirits have been distilled in substantially the manner and form in which these statements appear on the labels of the alcoholic liquor advertised. In the case of neutral spirits or of gin produced by a process of continuous distillation, there shall be stated

in the advertisement the name of the commodity from which such neutral spirits or gin has been distilled substantially in the manner and form in which this statement appears on the labels of the alcoholic liquor advertised. (5) "Line" or "brand" advertisements. Where an advertisement does not mention a specific product but merely refers to a class of alcoholic liquor, other than beer or wine, such as "whiskey," and the advertiser markets more than one brand of alcoholic liquor of that class, or where the advertisement refers to several classes of alcoholic liquor, other than beer or wine, such as "whiskey," "brandy," "rum," "gin," "liqueur," etc., marketed under a single brand, the only mandatory information prescribed by this subsection applicable to such advertisement is the name and address of the responsible advertiser. (6) Retail establishments. Advertisements by retail establishments which merely refer to the availability of alcoholic liquor in such establishments but which otherwise make no reference to a specific brand of alcoholic liquor shall be subject only to the provisions of section 30-6-A31a of the Regulations of Connecticut State Agencies.

(d) Lettering. Statements required by this section to be stated in any written, printed or graphic advertisement shall appear in lettering or type of a size, kind and color sufficient to render them both conspicuous and readily legible. In particular: (1) Required information shall be stated against a contrasting background and in type or lettering which is at least the equivalent of eight-point type; (2) required information shall be so stated as to appear to be a part of the advertisement and shall not be separated in any manner from the remainder of the advertisement; (3) where an advertisement relates to more than one product, the required information shall appear in such manner as to clearly indicate the particular products to which it is applicable; (4) required information shall not be buried or concealed in unrequired descriptive matter or decorative designs.

(Effective November 24, 1964; Amended October 1, 2001)

Sec. 30-6-A31. Repealed, November 24, 1964.

Sec. 30-6-A31a. Prohibited statements and illustrations

(a) Restrictions. An advertisement of alcoholic liquor shall not contain: (1) Any statement that is false or misleading in any material particular or is otherwise in violation of the Connecticut Unfair Trade Practices Act, Sec. 42-110b et seq., of the Connecticut General Statutes; (2) any statement that is disparaging of a competitor's products; (3) any statement, design, device or representation which is obscene or indecent; (4) any statement, picture or illustration referring to Easter, Holy Week, Mother's Day or "Santa Claus," including names synonymous with "Santa Claus," or the name of or any reference to or depiction of any biblical character, provided nothing herein shall operate to prohibit references to the Christmas holiday season if such references do not include statements, pictures or illustrations on strictly religious themes; (5) any statement, picture or illustration implying that the consumption of alcoholic liquor enhances athletic prowess, or any statement, picture or illustration referring to any known athlete, if such statement, picture or illustration implies, or if the reader may reasonably infer, that the use of alcoholic liquor contributed to such known athlete's athletic achievements; (6) any scene in which is portrayed a child or objects, such as toys, suggestive of the presence of a child or which in any manner portrays the likeness of a child or contains the use of figures or symbols which are customarily associated with children; (7) any offer of a prize or award to a consumer upon the completion of any contest in which there is a requirement to purchase the advertised product; provided no advertisement for alcoholic liquor shall promote a game of chance or a lottery; or (8) With regard to any advertisement for wine, any statement, design, device or representation which relates to alcoholic content or which tends to create the impression that a wine is either "unfortified" or "fortified," or has intoxicating qualities, or contains spirits.

(b) Cooperative advertising. There shall be no cooperative advertising as between a producer, manufacturer, bottler, importer or wholesaler and a retailer of alcoholic liquor.

(c) Repealed, October 28, 1977.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A32. Repealed, February 10, 1970.

Sec. 30-6-A32a. Furnishing services, advertising material or equipment to retailer

No brand owner, manufacturer, out-of-state shipper or wholesaler may furnish any retailer with services, advertising material or equipment except as follows, and, with respect to alcohol, spirits and wine, if allowed by federal law:

(a) Inside advertising material, including window displays, which has no intrinsic or utilitarian value other than point-of-sale advertising, whose aggregate cost shall not exceed five hundred dollars per retail outlet per calendar year per brand, exclusive of installation cost;

(b) Advertising novelties and specialties for use on the retail premises, such as trays, coasters, napkins, stirrers, scrapers and scraper holders, menu sheets and menu covers, change mats, calendars and pourers displaying brand names, whose aggregate cost shall not exceed five hundred dollars per distributor of such items per retail outlet per calendar year; wine lists may be distributed without cost limitation, such lists may contain listings from different brand owners, manufacturers, out-of-state shippers and wholesalers at the discretion of the retailer.

(c) Consumer novelties of nominal value for unconditional distribution to patrons of retail outlets, whose aggregate cost shall not exceed five hundred dollars per distributor of such items per retail outlet per calendar year.

(d) Manufacturers and wholesalers may clean and repair beer lines between barrels and faucets in retail premises and may furnish tapping accessories (such as rods, tap, hose and pressure regulators), provided the aggregate cost or reasonable value of any services rendered and any material used in connection with the cleaning and repairing of coils and the tapping accessories furnished shall not exceed five hundred dollars for each permit premises in any one permit year.

(e) Upon written submission to and approval by the department, brand owners or their licensees in this state may display in retail premises items other than alcoholic liquors which patrons may order by order forms available in such premises, provided no retailer shall stock or deliver such items or incur any cost in connection therewith, and provided the patron shall not be required to make any purchase on the premises in connection therewith. Such items shall be limited to products and any other items considered dealer loaders costing the supplier less than one hundred dollars per display. Nothing herein shall be construed as an exception from any other provisions of the Liquor Control Act or Regulations of Connecticut State Agencies.

(f) No brand owner, manufacturer, out-of-state shipper, wholesaler, or salesman for any such entity shall display, stock, rotate or affix the price to alcoholic liquor products for their retail off-premises consumption place of business customers, except as permitted by this section. A brand owner, manufacturer, out-of state shipper, wholesaler, or salesman for any such entity may perform the following for its retail customers allowed hereunder for their own products only: (1) The one-time stocking of shelves in the sales area only at any newly licensed retail off-premises consumption place of business or any premises that has recently had a change in the control of ownership, is permitted for all products; (2) The setting-up, building and maintenance of displays and point-of-sales advertisements is permitted for all products; (3) The rotating of all perishable products is permitted provided that rotating consists of moving stock from rear to front on the shelves in the sales area only, and does not include the

stocking or cleaning of shelves and other similar services on shelves in the sales area or any other area; (4) The affixing of prices on point of sale material, as established by the retailer, is permitted for all products; (5) The maintaining of floor displays by the addition of a full case or cases, whether cut or uncut, that does not include the stocking or cleaning of shelves; and (6) The maintaining of cold boxes and display refrigerators by the addition of single bottles or wine and spirits, cordials, or beer. Any brand owner, manufacturer, out-of-state shipper, wholesaler, or salesman for any such entity who elects to provide any of the aforementioned services shall do so only with the permission of the retailer involved, and shall provide the same service to all their retail customers without discrimination. Any permittee or salesman who knowingly provides or receives services in violation of this section shall be subject to license revocation or suspension.

(Effective April 16, 1991; Amended October 1, 2001)

Sec. 30-6-A33. Free samples of liquor

(a) The furnishing of free samples of liquor is prohibited unless allowed by section 30-20 of the Connecticut General Statutes or section 30-6-B21a of the Regulations of Connecticut State Agencies or unless permission is secured from the department under this section, and such permission shall only be secured under this section where a new brand of liquor is introduced and where the sample or bottle of liquor is clearly marked "free sample" and where samples are given to permittees or employees or agents of permittees who are authorized to purchase alcoholic beverages of the kind given as samples. Such samples shall not exceed in quantity the following: distilled spirits, not more than 200 ml.; wine, not more than 1.00 liter; beer, not more than 16 ounces in bottles or cans. Only one sample of each grade, type, or quality shall be given at any one time.

(b) Any wholesaler, out-of-state shipper, or manufacturer may furnish to a retail permittee or backer free samples of alcoholic liquor in connection with a tasting conducted in accordance with Section 30-6-B21 of the Regulations of Connecticut State Agencies, provided: (1) the samples are for an alcoholic product that the retail permittee has not sold within the previous twelve months; (2) the samples shall be provided to a permittee or backer, or an employee or agent of the permittee or backer who is authorized to purchase alcoholic beverages of the kind given as samples; and (3) the samples shall not exceed a single container of three liters.

(Effective August 9, 1985; Amended October 1, 2001)

Sec. 30-6-A34. Repealed, February 10, 1970.

Sec. 30-6-A35. Labels, labeling and registration of brands

(a) No alcoholic beverage shall be imported into the state or manufactured and sold within the state or included in any price list required to be filed with the department until the label of such brand has received the approval of the department.

(b) No label will be approved until the label is submitted, along with the appropriate form and fee to the department: nor until a list of brands with corresponding numeric brand code numbers to be imported or sold within the state has been submitted to the department, such list to be compiled on a form provided by the department.

(c) The department may require, before approval of any brand label, that a complete analysis of the alcoholic beverages for which labels have been offered be submitted. A brand label once approved shall not require reapproval unless such approval has been revoked or unless there is a change in the contents of the container as originally approved or a change in the descriptive phraseology on the label. The department may waive the requirement of a reapproval if the label change consists only of a new coloring, shading or label format.

(d) The department shall withhold approval of any brand label if it has reasonable cause to believe that the language, wording or design phraseology contained in the front label exaggerates the quality or age of the alcoholic beverage for which the label has been submitted, or belies its true contents, or may in any manner tend to deceive the purchaser as to the real nature of such alcoholic beverage.

(e) Repealed, December 5, 1967.

(f) In selling any item requiring a special label, this requirement shall be made known to the purchaser at the time of solicitation of sale. When the sample bottle is shown, the label shall be on the bottle. If no sample is shown, it should be made known to the purchaser that a label goes on the bottle.

(g) No on-premises consumption permittee shall sell, offer for sale, display, serve or dispense or mix in any drink any of the "liqueurs," "types," "imitation types" or substandard whiskeys described in this regulation as a substitute for whiskey when the original form of such whiskey is called for. No on-premises consumption permittee shall sell, offer for sale, serve, dispense or mix in any drink any substitute when a named alcoholic liquor is ordered or asked for. The presence on any permit premises of any container of liquor, the contents of which are at variance with the federal or state label thereon, shall be prima facie evidence of refilling.

(h) No off-premises consumption permittee shall sell, offer for sale or display any of the "liqueurs," "type," "imitation type" or substandard whiskeys described in this regulation when the original form of such whiskey is called for.

(i) The permit of any permittee who violates any of the provisions of this section shall be subject to revocation or suspension.

(j) Regulations of the federal alcohol administration currently in effect relating to labeling of distilled spirits, wine and malt beverages packaged for shipments in interstate or foreign commerce not inconsistent with this section are made a part hereof as though fully set forth and are hereby promulgated with respect to the state of Connecticut. The aforesaid regulations shall apply to distilled spirits, wine and malt beverages packaged purely for intrastate shipment within Connecticut to the same extent as though intended for interstate or foreign shipment.

(k) No private labels will be approved for registration unless the registrant when requesting such approval furnishes the department with the name and address of the retailer who will sell such brand. Any labels submitted for registration without such accompanying information shall be considered to be for general distribution.

(l) Where a liqueur or cordial label is submitted for registration having the same or similar format, coloring, design or brand name as a label for a previously approved brand of alcoholic liquor not a cordial or liqueur, or wherever the word "liqueur" is used on a front label, a special label shall be affixed to the front label, a special label shall be affixed to the front of each container or bottle shipped into or offered for sale in the state of Connecticut, either by the bottle, container or drink. The special label shall contain the wording "Not A Whiskey," "Not A Gin," or any other wording the department may deem necessary to clearly designate that such brand is, in fact, a cordial or liqueur. On all labels to be attached to containers of twenty-six or thirty-two ounce or 750 ml. capacity or larger, these words shall be printed in thirty-six point bookman style type; on pint or 500 ml. and half-pint or 200 ml. containers, twenty-four point bookman style type; on containers of less than one half-pint or less than 200 ml., twelve point bookman style type; printed in black type on yellow paper. Such labels shall be affixed to the face of the container, either below or above the regular label, where the entire special label can be most easily read when viewing the face of the bottle, this subsection shall not apply (1) where the word "liqueur" is used on the front label as a designation of quality or (2) where the word "liqueur" is used in conjunction with the word "scotch" or precedes the word "rum" or "brandy."

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A36. Period of credit

(a) The period of credit shall be calculated as the time elapsing between the date of receipt of the merchandise by the purchaser and the date of full legal discharge of the purchaser through the payment of cash or its equivalent from all indebtedness arising from the transaction. The period of delinquency will begin at midnight of the thirty-first day after the date of delivery, provided if such thirty-first day falls on a Saturday, Sunday or legal holiday, the next business day shall be deemed the first day of delinquency. Pledges, notes and postdated checks shall not be considered as the equivalent of cash, nor shall the practice of issuing credit memoranda for the purpose of circumventing the credit statute or regulation be permitted. The issuance of an insufficient check shall not be considered as a full legal discharge of a purchaser's obligation.

(b) No wholesaler shall provide credit to a permittee while under a provisional permit, unless otherwise approved by the department.

(Effective July 11, 1979; Amended October 1, 2001)

Sec. 30-6-A37. Repealed, September 30, 1983.

Sec. 30-6-A37a. Refusal to extend credit

The holder of a manufacturer or wholesaler permit shall refuse to extend credit to the holder of a retail permit when the retail permittee and/or backer has a delinquent account with that wholesaler that has been unpaid for a period in excess of 30 days.

(Effective September 30, 1983)

Sec. 30-6-A38. Repealed, October 1, 2001.

Sec. 30-6-A39. Marking of taps, faucets, or other draughting devices

No person or corporation operating under an on-premises permit, selling draught beer from any labeled or branded tap, faucet or other draughting device, shall draw therefrom any other beer than that designated thereon.

(Effective May 29, 1975; Amended October 1, 2001)

Sec. 30-6-A40. Minimum consumer resale prices

(a) Prohibited sales. No out-of-state shipper, manufacturer or wholesaler may include in any schedule of minimum consumer resale prices any brand of alcoholic liquor unless he is the owner of such brand or, in the case of the wholesaler, has been appointed exclusive agent, in writing, by the brand owner for the purpose of filing such schedule or has obtained written permission of the department to schedule a price for such brand. A wholesaler filing as an agent of an unlicensed brand owner may make no sales of such brand of alcoholic liquor to off-premises retailers until such wholesaler has filed with the department a letter from the brand owner in duplicate. Such authorization shall be on the letterhead of the brand owner and contain: (1) A statement that the person or firm executing such authorization is the actual owner of the brand; (2) a statement that as such brand owner the person or firm executing such authorization is appointing the particular wholesaler exclusive agent for the purpose of filing a schedule of minimum consumer resale prices for such brand pursuant to section 30-64 of the Connecticut General Statutes. No authorization will be accepted if the brand owner has previously appointed an exclusive agent for a particular brand unless such new authorization specifically revokes the authorization granted the previous agent.

(b) Permissive sales. The department, at its discretion, may grant to an off-premises retailer permission to sell at a price less than the minimum consumer resale price

listed in any schedule for the following reasons: (1) Where the licensee is actually and in good faith closing out his stock of a brand of alcoholic liquor for the purpose of discontinuing the sale of such brand, provided the stock of such brand shall have been in the possession of such licensee for not less than six months from the date of the last purchase of such brand and the entire stock of such brand shall first be offered by registered mail at the original invoice price to the manufacturer or wholesaler who filed the schedule for such brand, or any wholesaler authorized on the wholesale price schedule to sell such brand, at least fifteen days before request for permission to make such sale is made to the department. (2) Where the brand of alcoholic liquor is damaged or deteriorated in quality and notice is given to the public thereof, provided the entire stock of such brand shall first be offered by registered mail to the manufacturer or wholesaler from whom purchased at least fifteen days before request for permission to make such sale is made to the department. For the purpose of this subdivision, label changes, based on the change in the formula or age of base whiskey or percentages of whiskey or neutral spirits or types of neutral spirits, shall not constitute such a label a different brand. A retailer who "closes out" or returns a brand of liquor pursuant to subdivision (1) may not purchase such brand for a period of twelve months after the date of return or sale of such brand, even though the brand, when offered for sale to the retailer, contains a different formula, base whiskies having different ages, different percentages of whiskey or neutral spirits or different types of spirits. Wines bearing labels of the same brand but of different types (such as port, sherry or muscatel) or of different vintage years are different items, provided such types or years shall appear on the labels affixed to the containers. A retailer who "closes out" or returns a brand of wine of any type or any vintage year may not purchase such type or such vintage year of such brand for a period of twelve months after the disposal of the last container thereof, but is not prohibited from purchasing during the twelve-month period other types of such brand or other vintage years of such brand.

(c) Returns. No merchandise shall be accepted for return from a retailer by a manufacturer or wholesaler except under court order, with the approval of the department for good cause shown, or as permitted by this section. Written application containing an inventory of the merchandise to be returned shall be submitted to the department by both the retailer and manufacturer or wholesaler concerned. A manufacturer or wholesaler may accept merchandise for return without prior approval from the department when at the time of delivery to the retailer, the merchandise or its container is damaged or the merchandise is contaminated or tainted. A manufacturer or wholesaler who accepts the return of such merchandise shall keep an accounting of the merchandise accepted that shall identify the retailer who returned such merchandise and the date that upon which it was returned.

(d) Discontinued brands. Any brand on which no minimum consumer resale price can be posted because the owner of the brand discontinued business may be listed by a wholesaler under the heading "Discontinued Brands." Retailers may purchase and sell as a "close out" only any brand of alcoholic liquor which is listed as a "discontinued brand." Any wholesaler desiring to list an item as a "discontinued brand" shall submit a request setting forth the facts concerning such brand and obtain the written approval of the department for such listing.

(e) Licensee not to absorb sales tax or container price. Where a retail sales tax has been imposed pursuant to law, such tax may not be absorbed by the licensee but shall be added to the minimum consumer resale price of any brand of alcoholic liquor which is sold; nor shall such licensee absorb the container price in respect to any malt beverage.

(f) Gifts and novelties to consumer. No off-premises retail permittee shall, directly or indirectly, offer, furnish, deliver or give away any free goods, gratuities, gifts, prizes, coupons, premiums, or other articles or things of value, to any consumer. Calendars and recipe books, having an individual cost to the retailer of not more than five dollars, and match books which can be considered advertising media, do not come within the scope of this regulation.

Recipe books may be furnished to a retailer by manufacturers and wholesalers for distribution by the retailer.

(g) Advertising. No licensee shall advertise any price for an assortment of different brands or types of alcoholic liquors contained in one unit, unless the price for each individual item is stated individually and separately in such advertising. Nor shall any licensee advertise the price of any alcoholic beverage unless such advertisement contains the brand name of the item and the container size.

(h) Notice to permittees. Notice of all out-of-state shipper, manufacturer or wholesaler minimum consumer resale prices shall be given by the out-of-state shipper, manufacturer or wholesaler permittee to permittee purchasers, either by direct mail or advertising in a trade publication having a circulation among the retail permittees. When the out-of-state shipper, manufacturer or wholesaler notifies the retail permittee by direct mail rather than by advertising in a trade publication, he shall, on or before the effective date of such prices, submit an affidavit to the effect that he has so notified such retailer.

(i) Displaying prices. Each retail licensee shall display on the shelf immediately beneath the merchandise offered for sale, in a conspicuous manner and legible to the public, the price of each container of alcoholic beverage, except malt beverages. The retail prices of all malt beverages shall be posted in a conspicuous place on the permit premises, legible to the public, setting forth the unit and case price.

(Effective June 2, 1987; Amended October 1, 2001)

Sec. 30-6-A41. Restrictions on sales and purchases by permittees; donations

(a) No permittee shall solicit or take from or give orders for alcoholic liquor to, or buy or receive from or sell or deliver alcoholic liquor to, any person or business entity with whom his permit does not empower him to deal. No permittee shall allow the use of his permit so as to aid or abet the commission of such transactions. The permit of any permittee violating the provisions of this regulation shall be liable to suspension or revocation.

(b) Notwithstanding the provisions of this section or any other section of these regulations to the contrary, any permittee may donate alcoholic liquor to any bona fide non-profit or charitable organization to benefit and support such organization, provided prior notice of any such donations is given to the department.

(Effective July 25, 1989; Amended October 1, 2001)

Sec. 30-6a-A42. Photographic equipment and format of photograph for a person whose age is in question.

A permittee or agent or employee of a permittee may present a photograph of a person whose age is in question, along with a photocopy of such person's driver's license or identity card, as an affirmative defense to a prosecution for selling alcoholic liquor to a minor in violation of subsection (b) of section 30-86 of the Connecticut General Statutes, only when all the following requirements are met:

(1) The photograph shall:

(A) Be taken with a digital camera or film-camera that has a built-in date and time stamp in working condition;

(B) have a date and time stamp as part of the actual photograph and the date and time stamp shall be accurate and true;

(C) be in color;

(D) be taken with the person holding the driver's license or identity card provided to the permittee or the permittee's agent or employee as proof of age;

(E) be 5 by 7 inches in size;

(F) be a clear and actual depiction of the way the person presented themselves at the time the person provided proof of age; and

(G) be in a format, or be taken against a background, that accurately depicts the height of the person being photographed.

(2) The photocopy of the person's driver's license or identity card shall:

(A) Be placed on a piece of paper 8 ½ by 11 inches, depicting the license or card as 5 by 7 inches in size;

(B) depict the front and back of such driver's license or identity card;

(C) be clear and easily readable, including all identification letters and numbers;

(D) provide the actual dimensions of the length and width of the person's driver's license or identity card; and

(E) contain the printed name and signature of the permittee, agent or employee who took the photograph and photocopy, and an attestation that the same person examined the front and the back of such driver's license or identity card.

Part II: Regulations of Specific Permits

A

Out-of-state Shipper Permits

Sec. 30-6-B1. Sales to permittees

Every holder of an out-of-state shipper's permit shall sell only to a manufacturer or wholesaler in good standing within the state. No bottled goods shall be shipped into the state by an out-of-state shipper until the brand has been registered and the distributor nominated as required by section 30-63 of the Connecticut General Statutes.

Sec. 30-6-B2. Record of sales and purchases

(a) Every holder of an out-of-state shipper's permit shall maintain a separate and complete record of all sales and shipments to each permittee in the state of Connecticut, which record shall be maintained in a ledger sheet or similar form so as to present readily a chronological account of its dealings with each such permittee. Such record shall contain the number of cases of each brand, the size of the containers, the price thereof and the name of the vendee and a true and accurate statement of the terms and conditions of such sales. The out-of-state shipper shall furnish for each sale an invoice setting forth the same information. Failure to state any terms and conditions on such records and invoices shall make the out-of-state shipper and its vendee liable to the suspension or revocation of its or his permit.

(b) Such records and copies of such invoices shall be maintained at the place of business shown on the permit of the out-of-state shipper, or at such other place as is allowed in writing by the department, for a period of two years from the date of the transactions recorded thereby, and shall be available for inspection and copying by agents of the department at any time during business hours.

(c) Out-of-state shippers, on a monthly basis, shall maintain and have available a record of sales and shipments of spirits to wholesalers which occurred during the previous month. Such record shall contain the number of cases of each brand, the size of the containers, and the name of the vendee. Every holder of a manufacturer or wholesaler permit shall maintain a complete monthly record of all purchases made and shipments received by him of all alcoholic liquors, which shall include the number of cases, with inclusive serial numbers, from whom received, the type and brand name, the price and the date of delivery thereof. Such records shall be maintained at all times on the permit premises and be made available to the department or its agents upon request. Any refusal of a permittee or his duly authorized agent to permit examination of the records, upon request, by an agent of the department shall be in

violation of this section. The department shall hold permittees strictly accountable for such records.

(Effective May 27, 1988; Amended October 1, 2001)

Sec. 30-6-B3. Repealed, May 3, 1966.

Sec. 30-6-B4. Out-of-state shipper price lists to be filed

(a) Every out-of-state shipper permittee shall, annually on or before the sixth day of January, file with the department, on forms prescribed by the department, a complete schedule, with each page of such schedule numbered in numerical order, duly verified by the permittee and attested by the backer, if an individual, or if the backer is a corporation, by an officer of such corporation, of all alcoholic liquors offered for sale in Connecticut, which shall contain with respect to each item: (1) The type of beverage and brand name; (2) the size of the container; (3) the age or per cent and type of neutral spirits; (4) the proof; (5) the number of bottles per case; (6) the bottle and case price. The following information shall be submitted by out-of-state shipper beer only permittees: (1) The type of beverage; (2) the size of the container (barrel, half-barrel, quarter-barrel); (3) the number and size of bottles per case; (4) the container price and case price. At the same time that these schedules are mailed to the department, a copy shall be forwarded to each wholesaler licensed by the department to distribute those products for which the schedule is intended.

(b) Except in the case of still wines and sparkling wines, the case price shall be individual for each item and not in combination with another item. Schedules on multiple packages of still wines and sparkling wines shall contain the bottle price for each item contained in the multiple package, the unit price, and the case price. The bottle price posted in such multiple package case must be the same as the bottle price posted in a case containing the one type and brand of wine. The price set forth therein shall become effective on the first day of the calendar month following the effective filing date thereof and, unless withdrawn or amended, shall be considered refiled and effective each month until the filing date of the next complete schedule. All items shall be bona fide offering of the items set forth in the list. Price changes and prices on new items may be filed on supplemental price schedules, which schedules shall be filed on the sixth day of any intervening month, and prices on such supplemental schedules shall become effective on the first day of the month following the effective filing date thereof. When filing supplemental price lists showing amended prices, one copy of the whole numbered page on which the original prices appeared shall be filed. One copy of such supplemental price list shall be filed, with a copy to the wholesaler licensed to distribute the product.

(c) Except in cases where an obvious typographical error has been made, no changes, corrections or additions will be considered after the effective filing date. The effective price on any item shall be the price posted on the latest schedule on file on which that particular item appears.

(d) No out-of-state shipper may ship, transport, sell or offer for sale in Connecticut any brand of alcoholic liquor which does not appear on his price schedule.

(e) A violation of any of the provisions of this section shall be punishable by suspension or revocation.

(Effective January 11, 1984; Amended effective October 1, 2001)

Sec. 30-6-B4a. Time of posting

(a) Price schedules filed on or before the sixth day of January pursuant to Section 30-6-B4 (a) of the Regulations of Connecticut State Agencies shall be deemed posted on the sixth day of January at 10:00 a.m. Eastern Standard Time. If the sixth day of January is a

Saturday, Sunday or legal holiday, price schedules shall be filed on the next business day and shall be deemed posted on such next business day at 10:00 a.m. Eastern Standard Time.

(b) In accordance with Section 30-6-B4 (c) of the Regulations of Connecticut State Agencies, such price schedule shall be deemed re-posted, unless a timely supplemental price schedule is filed, on the sixth day of each succeeding month at 10:00 a.m. Eastern Standard Time. If the sixth day of any succeeding month is a Saturday, Sunday or legal holiday, the price schedule shall be deemed re-posted at 10:00 a.m. Eastern Standard Time on the next business day.

(c) Supplemental price schedules filed on the sixth day of any month shall be deemed posted at 10:00 a.m. Eastern Standard Time on that day and re-posted on the sixth day of each succeeding month at 10:00 a.m. Eastern Standard Time. If the sixth day of any month is a Saturday, Sunday or legal holiday, such supplemental price schedule shall be filed on the next business day, and shall be deemed posted or re-posted, as the case may be, at 10:00 a.m. Eastern Standard Time, on such day.

(d) Any price schedule or supplemental price schedule filed late shall be ineffective for that month and shall be applicable for the next filing deadline. Any price schedule or supplemental price schedule filed early shall be applicable for the pending filing deadline.

(e) When a manufacturer or out-of-state shipper posts with the department a decrease in the price for the following month, such alcoholic liquor affected by the decrease may be shipped into the warehouse of the wholesaler ten days prior to the first day of the following month.

(Effective October 21, 1985; Amended August 30, 2000)

Sec. 30-6-B5. Records of salesmen's expenses, allowances, bonuses, etc.

Every out-of-state shipper permittee shall be required to keep a record, either weekly or monthly, of all salaries, wages, expenses, allowances, bonuses, cash disbursements and gratuities, either in the form of cash or things of value, paid to any of his employees, agents or salesmen representing him in the state of Connecticut. Such records shall be available for inspection by the agents of the commission at all times during business hours.

Sec. 30-6-B6. Copy of home state license to accompany application

Every application for an out-of-state shipper's permit shall be accompanied by a photostatic copy or by other documentary evidence of a permit or license issued by the state in which the applicant derives authority to manufacture, sell or distribute alcoholic liquors.

Sec. 30-6-B7. Consignments; return of goods; authorized distributors

No manufacturer, wholesaler or out-of-state shipper permittee shall sell alcoholic liquors on consignment, except to holders of temporary permits. No manufacturer, wholesaler or out-of-state shipper permittee shall take back any merchandise once sold, billed, shipped, delivered or received by any permittee unless such transaction has been approved by the department, or except in the case of a temporary permit provided such return is accomplished within thirty days of expiration of the permit. A full and complete explanation of all circumstances shall accompany any request to take back merchandise. Each manufacturer and out-of-state shipper permittee shall file with the department a list of his authorized distributors, setting forth the brands and also the exact geographical area in which the distributor or wholesaler shall be authorized to sell, and shall also file a certificate from the wholesaler to the effect that he is, in fact, servicing the area designated and no other area for the brand or brands for which he has been appointed as distributor. Where a wholesaler has held a distributorship for less than six months, no change on the list of authorized distributors or wholesalers of a manufacture or out-of-state shipper shall be made except after ninety days' notice by registered mail to all such authorized distributors or wholesalers affected by such change which appear on the list of the

particular manufacturer or out-of-state shipper as recorded in the office of the department of liquor control, and except after ninety days' like notice to and approval by the department. Such changes may be made without waiting the ninety days with the approval of the department where waivers are executed by the distributors or wholesalers concerned, or where the geographical area of distribution has not been already allocated to a distributor or wholesaler, or after a hearing has been held, upon presentation of sufficient evidence of any violation of the liquor control act or regulations of the department, or evidence of any other act detrimental to the orderly conduct of the business, in which a present authorized distributor or wholesaler has been involved. The notice of change shall indicate that the name of the permittee is to be an additional distributor or wholesaler or, in the case of eliminating the name of a present distributor or wholesaler, with or without substituting another permittee's name, the notice of the change shall so indicate an "elimination" or "substitution." Geographical areas of distribution shall be submitted either by townships or counties or state-wide, and any change in geographical area of distribution shall fully conform to the same essential conditions as required in the notice of change to distributors or wholesalers. (Effective January 11, 1984; Amended October 1, 2001)

B

Manufacturer and Wholesale Permits

Sec. 30-6-B8. Records of purchases

Every holder of a manufacturer or wholesaler permit shall maintain a complete monthly record of all purchases made and shipments received by him of all alcoholic liquors, which shall include the number of cases, with inclusive serial numbers, from whom received, the type and brand name, the price and the date of delivery thereof. Such records shall be maintained at all times on the permit premises and be made available to the department or its agents upon request. Any refusal of a permittee or his duly authorized agent to permit examination of the records, upon request, by an agent of the department shall be in violation of this section. The department shall hold permittees strictly accountable for such records.

Sec. 30-6-B8a. Records of sales

Manufacturers, on a monthly basis, shall file with the department a record of sales and shipments of spirits to wholesalers which occurred during the previous month. Such record shall contain the number of cases of each brand, the size of the containers, and the name of the vendee. Alternatively, manufacturers may provide invoices or summaries which provide the foregoing information. Records, invoices or summaries shall be accompanied by a statement from the manufacturer certifying that the documents submitted are a true and accurate statement of shipments made during the subject month.

(Effective May 27, 1988; Amended October 1, 2001)

Sec. 30-6-B9. Restriction of sales

No alcoholic liquor shall be sold or delivered by any wholesaler or manufacturer permittee except from his permit premises, unless the permittee has first received and inventoried the alcoholic liquor from the delivery truck into the warehouse.

(Effective August 28, 1984; Amended effective October 1, 2001)

Sec. 30-6-B10. Sales of alcoholic liquors, other than alcohol and wine for industrial purposes, to nonpermittees

Every wholesaler permittee shall submit to the department, in duplicate, within five days of the date of delivery, an invoice of all alcoholic liquors, other than alcohol and wine be used for the purposes specified in section 30-77 of the Connecticut General Statutes, sold to nonpermittees

for industrial purposes. Such invoice shall disclose the name of the seller, the name of the purchaser, the date of sale and the quantity and type of alcoholic liquor. Such wholesaler permittee shall keep, upon the permit premises, a separate account of all such transactions available for investigation by the department and its agents.

Sec. 30-6-B11. Repealed, May 3, 1966.

Sec. 30-6-B12. Manufacturer and wholesaler price lists to be filed

(a) Each manufacturer and wholesaler permittee shall, annually, on or before the twelfth day of December, file with the department on forms prescribed by the department one copy of a complete schedule, with each page of such schedule numbered in numerical order, duly verified by the permittee and attested by the backer if an individual or, if the backer is a corporation, by an officer of such corporation, of all alcoholic liquors offered for sale in Connecticut. These lists shall contain with respect to each item: (1) The type of beverage and brand name; (2) the size of the container; (3) the age or per cent and type of neutral spirits; (4) the proof; (5) the number of bottles per case; (6) the bottle price and case price which shall include all customs, duties, federal taxes, state taxes and cost of delivery to the permittee. If a manufacturer or wholesaler sells to another manufacturer or wholesaler, the prices shall be submitted on a separate schedule; (7) the name of the publication or publications the prices will appear in. If not published, the affidavit required by subsection (g) shall be submitted. The following information shall be submitted only by manufacturer and wholesaler beer permittees: (1) The type of beverage; (2) the size of the container (barrel, half-barrel, quarter-barrel); (3) the number and size of bottles per case; (4) the container price and case price; (5) the name of the publication or publications the prices will appear in. If not published, the affidavit required by subsection (g) shall be submitted.

(b) Except in the case of still wines and sparkling wines, the case price shall be individual for each item and not in combination with another item. Schedules on multiple packages of still wines and sparkling wines shall contain the bottle price for each item contained in the multiple package, the unit price, and the case price. The bottle price posted in such multiple package case must be the same as the bottle price posted in a case containing the one type and brand of wine. The price set forth therein shall become effective on the first day of the calendar month following the effective filing date thereof and, unless withdrawn or amended, shall be considered refiled and effective each month until the filing date of the next complete schedule.

(c) Price changes and prices on new items may be filed on supplemental price schedules, which schedules shall be filed on or before the twelfth day of any month, and the prices on such supplemental schedules shall become effective on the first day of the month following the effective filing date thereof. One copy of such supplemental price schedules showing amended prices shall be filed and only price changes and prices on new items should be listed.

(d) No changes, corrections or additions will be considered after the effective filing date, except in cases where obvious typographical errors have been made and except where otherwise allowed by statute.

(e) No manufacturer or wholesaler permittee may sell or offer for sale any brand of alcoholic liquor which does not appear on his price schedule. All items listed shall be bona fide offerings of the items set forth in the list and each manufacturer and wholesaler, upon request of the department, shall furnish the department with an inventory of any items that appear on his list. All liquor sold in less than case units at wholesale shall be sold at the per bottle price posted.

(f) All liquors shall be shipped and received by the purchaser in the same period for which the prices set forth in the invoices are in effect.

(g) Each manufacturer and wholesaler shall furnish each permittee customer with a copy of his price schedule, as amended, either by direct mail or by publishing his price schedule in any publication approved by the department of liquor control, provided, in accordance with the method used, the manufacturer, wholesaler or publication shall, on or before the tenth day of the month for which such schedule is effective, submit an affidavit that the provisions of this section have been complied with. If a manufacturer or wholesaler permittee solicits a new account, he shall, before making any sales, present a current price schedule to such account.

(h) A manufacturer or wholesaler posting prices on private labels shall submit those prices on separate sheets distinctly marked "Private Labels."

(i) Each price schedule filed shall contain the statement that the manufacturer or wholesaler is a "present authorized distributor" of all brands on which prices are quoted. If for any reason a manufacturer or wholesaler files prices on any items or brands of which he is not an authorized distributor, such items or brands shall be listed as "close-outs." Prices on so-called "close-out" items shall be filed every month even though they remain the same. Such items shall be disposed of within three months and shall not be listed on more than three successive lists without permission of the department and the department will strike from the list those items unless the distributor presents the department with satisfactory reasons for not doing so.

(j) A violation of any of the provisions of this section shall be punishable by suspension or revocation.

(Effective January 11, 1984; Amended October 1, 2001)

Sec. 30-6-B13. Repealed, October 1, 2001.

Sec. 30-6-B14. Sale on consignment prohibited

No manufacturer or wholesaler permittee shall sell alcoholic liquors on consignment, except in the case of a temporary permit provided the return of the alcohol is accomplished within thirty days of the expiration of the permit.

(Amended October 1, 2001)

Sec. 30-6-B15. Records of salesmen's expenses, allowances, bonuses, etc.

Every wholesaler or manufacturer permittee shall be required to keep a record, either weekly or monthly, of all salaries, wages, expenses, allowances, bonuses, cash disbursements and gratuities, either in the form of cash or things of value, paid to any of his employees, agents or salesmen representing him in the state of Connecticut. Such records shall be available for inspection by the agents of the commission at all times during business hours.

Sec. 30-6-B16. Contracts; agreements; franchises

A copy of any contract, franchise or agreement between any out-of-state shipper permittee and any wholesaler or manufacturer permittee connected with the importation, purchase, sale or distribution of alcoholic liquors shall be maintained and made available to the department. Each out-of-state shipper, brewer or wholesaler permittee shall maintain true and accurate financial records setting forth a record of each transaction in such a manner as will disclose the true nature of each such transaction. These records shall be open at all times to an agent of the department during reasonable hours and subject to audit by a department agent or representative. These records shall be maintained on the permit premises for at least two years.

(Amended October 1, 2001)

C
Broker Permits

Sec. 30-6-B17. Repealed, October 1, 2001.

D
Package Store Permits

Sec. 30-6-B18. Repealed, October 1, 2001.

Sec. 30-6-B19. Repealed, October 1, 2001.

Sec. 30-6-B20. Restriction of sales

(a) No alcoholic liquors shall be sold, offered for sale or delivered by any package store permittee, backer or agent except upon and from the permit premises, or removed therefrom by the purchaser except during the hours of sale permitted by statute, nor shall any liquors be removed from the authorized place of storage except to the permit premises and only during the hours permitted by statute; provided this section shall not prevent the taking and transmitting of orders for delivery out of state as provided by statute.

(b) No permittee shall sell or deliver any alcoholic liquors to any person who is purchasing such liquors for the purpose of reselling the same.
(Effective August 9, 1985; Amended October 1, 2001)

Sec. 30-6-B21. Consumption on premises

Unless allowed by section 30-20 of the Connecticut General Statutes or section 30-6-B21a of the Regulations of Connecticut State Agencies, no package store or druggist permittee shall permit the container of any alcoholic beverage to be opened on the permit premises, nor shall such permittee keep or permit to be kept on the permit premises any unsealed containers, except those containing such alcoholic liquors as are being used in compounding of physicians' prescriptions or for the manufacturing of United States pharmacopoeia or national formulary preparations or other medicinal preparations. The presence of any unsealed containers on the premises, except those in tastings, may be considered as prima facie evidence of a violation of this section.

(Effective August 9, 1985; Amended October 1, 2001)

Sec. 30-6-B21a. Tastings

(a) Tastings at package stores: (1) No alcoholic liquor shall be consumed on the premises of a package store, except tastings conducted in accordance with the provisions of this section. (2) Any wholesaler, out-of-state shipper, or manufacturer may assist in the planning, promoting, and conducting of tastings for permittees as permitted by this section. The tastings may be conducted on the wholesaler's, out-of-state shipper's, manufacturer's, or retailer's permit premises as permitted by law. (3) Tastings by the general public may be conducted on the premises by the package store permittee, backer or employee or agent of same and shall not exceed the following amounts per patron: one half ounce per cordial or spirit, one ounce per wine, and two ounces per beer. (4) No tastings shall be allowed in a package store before 12 noon or after 8 p.m. or on days or at times when the sale of alcoholic liquor is prohibited at package stores. (5) No tastings shall be offered from more than four open uncorked bottles or cans at any one time. (6) No tastings shall be offered to or allowed to be consumed by any minor or intoxicated person.

(b) Tastings or demonstrations for charitable organizations: (1) "Charitable organization" means any non-profit organization organized for charitable purposes to which has been issued a ruling by the Internal Revenue Service classifying it as an exempt

organization under Sec. 501 (c) (3) of the Internal Revenue Code and which would, therefore, be eligible to apply for a charitable organization permit under the Liquor Control Act. (2) Tastings or demonstrations for a charitable organization shall be allowed only off the package store permit premises and only with prior written approval from the Department. Tastings for a charitable organization and sponsored by any non-package store permittee shall be allowed on or off the permit premises, and only with prior written approval from the department. (3) Permittees seeking permission for tastings or demonstrations for charitable organizations shall submit their request in writing to the department at least ten (10) days prior to the planned event. This ten-day notice may be waived by the department for cause. (4) The nominal fee which a package store permittee may charge a charitable organization for a tasting or demonstration shall not exceed the cost to the permittee of the alcoholic beverages provided. (5) A wholesaler or out-of-state shipper may assist in the planning, promoting, and conducting of tastings for charitable organizations. (6) No tastings shall be offered to or allowed to be consumed by any minor or intoxicated person. (7) A permittee may: (A) gift alcoholic liquor to the charitable organization in connection with the tasting; (B) provide free merchandise or financial assistance, whether by direct cash grants, merchandise credit, or the loaning of employees to assist the charitable organization in any such tastings; and (C) provide assistance in the form of a representative to lecture and respond to inquiries and provide educational materials.

(c) Demonstrations related to alcoholic liquor: (1) "Demonstrations" related to the use of alcoholic liquor means the exhibition or use of alcoholic liquor at public gatherings for purposes other than tasting. (2) Demonstrations shall be allowed only off the package store permit premises and only with prior written approval of the Department. (3) Package store permittees seeking permission for demonstrations shall submit their request in writing to the Department at least ten (10) days prior to the planned event. This ten-day notice may be waived by the department for cause.

(Effective August 9, 1985; Amended October 1, 2001)

Sec. 30-6-B22. Repealed, October 1, 2001.

Sec. 30-6-B22a. Repealed, September 30, 1983.

E **Daily Records**

Sec. 30-6-B23. Repealed, October 1, 2001.

Sec. 30-6-B24. Repealed, October 1, 2001.

Sec. 30-6-B25. Repealed, October 1, 2001.

Sec. 30-6-B25a. Daily records to be kept

Each restaurant, café, package store, and druggist permittee shall keep on the permit premises a daily record of the sales of alcoholic beverages and food, if applicable, totaled monthly. Any permittee may request permission to have his books, except the daily records, kept at an accountant's office or permittee's or backer's home or office, provided satisfactory arrangements shall be made to produce such records on the permit premises within a reasonable time. The department shall hold permittees strictly accountable for the accuracy of such records.

(Effective October 28, 1977; Amended October 1, 2001)

F
Restaurant, Bowling Establishment, and Café Permits

Sec. 30-6-B26. Repealed, June 24, 1980.

Sec. 30-6-B27. Repealed, June 24, 1980.

Sec. 30-6-B28. Area; seating capacity; facilities

(a) No restaurant permit shall be issued if the premises applied for is not equipped with a dining room having an area of four hundred square feet or more and having a seating capacity of twenty persons or more.

(b) No permit shall be issued for a cafe which consists of more than one public room, excluding toilet, kitchen and other non-public areas, unless its dining room or lounge has an area of four hundred square feet or more and a seating capacity of twenty persons or more.

(c) No restaurant permit and no permit for a cafe consisting of more than one public room shall be issued unless the premises have separate toilet facilities for men and for women which may be reached without passing through the barroom. The department may, in its discretion, waive the requirement for separate facilities in cases of hardship. Upon a showing of changed conditions, the department may revoke the waiver after due notice and an opportunity for a hearing has been provided.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-B28a. Restaurant and cafe permit premises which have access to bowling lanes

No restaurant or cafe permit premises may have interior access to a bowling alley, unless otherwise approved by the department.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-B29. Separate barrooms; partitions

On all new applications for a restaurant permit or for a cafe permit where the cafe is to consist of more than one public room the department shall require either effective separation of the dining room, or lounge from the barroom or an agreement to the effect that the use of the bar on the premises will be confined to a service bar only, in an area wherein patrons are not allowed to produce or obtain drinks in said service bar. Nothing in this section shall prohibit a permittee from lawfully operating both a barroom and a service bar.

(Effective August 28, 1984; Amended October 1, 2001)

Sec. 30-6-B30. Repealed, October 28, 1977.

Sec. 30-6-B31. Repealed, October 1, 2001.

Sec. 30-6-B32. Repealed, October 1, 2001.

Sec. 30-6-B32a. Repealed, October 1, 2001.

Sec. 30-6-B32b. Repealed, October 1, 2001.

Sec. 30-6-B33. Repealed, October 1, 2001.

Sec. 30-6-B33a. Hotel register; daily records to be kept

Each hotel permittee shall keep on the permit premises, in the English language, records of money received from transient guests for sleeping accommodations. Each hotel permittee shall maintain a hotel register which shall include the name and address of each transient guest and the date of his registry. Any falsification of these records shall subject the permit to revocation or suspension. The department shall hold permittees or backers strictly accountable for the accuracy of such records.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-B33b. Hotel guest bars

(a) One or more hotel guest bar permits may be issued at any hotel permit premises in accordance with the general statutes. Hotel guest bars, for which a permit has been issued, shall be located only in rooms where sleeping accommodations are available to transient guests. Unless otherwise prohibited by law, such guest bars may contain food and non-alcoholic beverages in addition to alcoholic liquor.

(b) Nothing in this section shall be construed as an exception to the provisions of the Liquor Control Act or Regulations of Connecticut State Agencies applicable to hotel permittees or backers concerning hours and days of sale, sales to minors or intoxicated persons.

(c) All guest bar permits shall be issued for a permit year coterminous with the hotel permit issued at the same premises, and if first issued during the hotel permit year, shall nevertheless expire on the same date as the hotel permit.

(Effective March 3, 1995; Amended October 1, 2001)

**G
Tavern Permits**

Sec. 30-6-B34. Repealed, November 3, 1978.

Sec. 30-6-B35. Repealed, June 24, 1980.

Sec. 30-6-B36. Repealed, June 24, 1980.

Sec. 30-6-B37. Repealed, October 1, 2001.

Sec. 30-6-B38. Repealed, October 1, 2001.

**H
Club, Golf Country Club, and Nonprofit Club Permits**

Sec. 30-6-B39. Guest book

(a) No person shall be construed to be a guest of a member of a club, golf country club or nonprofit club within the intent of section 30-23 and section 30-24a of the general statutes until his name and address have been entered in the guest book maintained for such purposes on the club, golf country club or nonprofit club premises together with the signature of the member and the date of introduction, provided neither the permittee nor any person employed to dispense alcoholic beverages on such premises, during his working hours on such premises, shall enter such person's name in such book. This requirement may be waived by the department for special occasions upon written application. Written requests for such waivers shall be submitted in duplicate as soon as arrangements for these affairs are made and as far in advance as possible and shall include the following information: (1) In the case of private parties, whether they are club sponsored or sponsored by a member or members, giving his or their names, and the type of affair; (2) in the case of wedding receptions, anniversaries, etc., the blood relationship of the sponsor to the person for whom the affair is to be held; and (3) the number of members and the number of guests who are expected to attend.

(b) The holders of a nonprofit club permit shall be allowed to rent or lease their facilities for non-club sponsored functions or functions sponsored by a member or members, without the requirement of maintaining a guest book for those functions or obtaining a waiver of the guest book requirements, provided that the gross receipts to the club for these functions, for each permit year, including but not limited to the sale of liquor and food, and any fee for use of the facilities, does not exceed fifteen percent of the club's gross receipts for such year.

(Effective September 30, 1983; Amended October 1, 2001)

Sec. 30-6-B40. Members

No person shall be considered a member of a club holding a permit from the department unless he has been elected therein and has a voice in the election or appointment of club officers who determine club policies and direct club management and is eligible himself for election or appointment as a director or club officer; provided, where the department finds that there are extra facilities and privileges of the club buildings, such as golf, tennis, beach, hunting, riding, etc., the right of a person to the use and exercise of such facilities and privileges without having a voice in the election or appointment of club officers who determine club policies and direct club management shall constitute such person a member of the club within the purview of this section. A club permit is designed to make available the sale of alcoholic liquor to its members and their guests, and it is not intended that such liquors shall be sold as a commercial or business enterprise, or that the object of such sales shall be money profit only.

(Amended October 1, 2001)

Sec. 30-6-B41. Records

Every club, golf country club or nonprofit club permittee shall maintain, in the English language, records showing: (1) Total monthly receipts exclusive of proceeds from the sale of alcoholic liquor; (2) total monthly receipts from the sale of alcoholic liquor; (3) total monthly expenses which shall include rent, taxes, electricity, heat, mortgage, interest and wages. Any permittee may request permission to have his books, except the daily records, kept at an accountant's office, or at the home of the treasurer of the club, golf country club or nonprofit club, provided satisfactory arrangements shall be made by the accountant or treasurer to produce such records on the permit premises within a reasonable time. Permittees shall be strictly accountable for the accuracy of such records. A copy of the constitution and by-laws of the club, golf country club or nonprofit club with the latest revisions, shall be maintained in the English language as shall be the recording secretaries' records. In addition to maintaining the above, a nonprofit club shall maintain a permit year to date listing of each function that is not club sponsored or sponsored by a member or members, stating the gross receipts to the club for such function including but not limited to the fee received to rent or lease the facility and the gross receipts from the sale of alcoholic beverages and food prepared and/or consumed at the function. The permittee or backer of such nonprofit club permit shall also provide to the department or its agents, upon request, copies of any appropriate internal revenue service form 990 or "function sheets" required to be maintained by the Internal Revenue Service, to help the department in its enforcement of section 30-23(b) of the Connecticut General Statutes.

(Effective September 30, 1983; Amended October 1, 2001)

Sec. 30-6-B42. Premises

No new application for a club or golf country club permit premises shall be approved if the premises applied for consists of one room only and a bar is part of the furnishings of such one room. The club or golf country club permit premises must include a separate meeting room and a separate barroom, the meeting room must be adequate in size to accommodate the membership, and the barroom must not exceed the total square footage of the meeting room. Notwithstanding any other provisions of this section to the contrary, the separator between the meeting room and barroom may be opened at any time when meetings are not being conducted so as to allow the meeting room to become part of the barroom.

(Effective December 1, 1982)

I
Temporary Permits

Sec. 30-6-B43. Application

No temporary permit will be issued unless application is made accompanied by the proper fee, at least ten days before the date of the proposed outing, picnic or social gathering on forms provided by the department, and no organization, as backer, shall make more than four applications for such a permit during any one calendar year. The department may, for cause, in its discretion limit the hours of sale under a temporary permit or waive the ten-day notice requirement.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-B44. Conduct of permit premises

All reports, complaints or other evidence as to the conduct of organizations under previous permits will be considered by the department on subsequent applications.

J
Concession Permits

Sec. 30-6-B45. Limitation of sale

The sale of beer under a concession permit shall be limited to the hours prescribed by statute, and further limited to the hours during which the specified fair grounds, ball park, public golf course or sports arena is in operation for the purpose for which it was established. The department will consider as "hours" those during which the general public is in attendance.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-B45a. Sports arena defined

A sports arena, as that term is used in section 30-33 of the Connecticut General Statutes, is any indoor or outdoor facility where sporting events are contested by competitors before the general public. Such a sports arena shall have bleachers or other permanent seats for at least one hundred spectators.

(Effective June 13, 1980; Amended October 1, 2001)

Sec. 30-6-B46. Delivery of containers

No glass or metal container shall be delivered to a consumer on premises operating under a concession permit.

(Effective January 26, 1973; Amended October 1, 2001)

K
Nonprofit Theater Permits

Sec. 30-6-B47. Repealed, October 1, 2001.

Sec. 30-6-B48. Time of service

The time of service of alcoholic beverages on a theater premises shall not exceed, with respect to each performance, a period starting one and one-half hours before the beginning of the performance and ending at the conclusion of the performance. For good cause shown by written application, the department may in writing extend such time for a particular occasion.

(Effective December 5, 1967; Amended October 1, 2001)

L
University Permits

Sec. 30-6-B49. Areas of service and consumption

All storage of alcohol shall be locked during the hours and days when the sale and consumption of alcohol is prohibited. All alcohol sold or delivered under such a permit shall be consumed on the permit premises and shall not be removed therefrom by patrons.

(Effective May 29, 1975; Amended October 1, 2001)

Sec. 30-6-B50. Repealed, October 1, 2001.

Sec. 30-6-B51. Repealed, October 1, 2001.

Sec. 30-6-B52. Repealed, October 1, 2001.

Sec. 30-6-B53. Repealed, October 1, 2001.

Sec. 30-6-B54. Reserved

Sec. 30-6-B55. Restriction of sales

(a) During hours when the sale of alcoholic liquors for off-premises consumption is forbidden and grocery store beer permit premises are open for business, all beer coolers accessible to the public shall be locked and all floor stock suitably covered so as to prevent access to the public. No beer shall be removed from such premises except during legal hours of sale.

(b) No permittee or backer, who owns or operates a grocery store adjacent to any package store liquor permit premises, shall deliver alcoholic beverages together with groceries ordered by any consumer or purchaser from the grocery store premises. Alcoholic beverages sold under a package store liquor permit shall be delivered separately to any purchasers. Nothing in this subsection shall prohibit the delivery of beer sold under a grocery store beer permit exclusively or along with groceries from such grocery store beer permit premises.

(Effective February 19, 1980)

Sec. 30-6-B56. Repealed, October 1, 2001.

Part III: Hearings

A

Procedure

Sec. 30-6-C1 through 30-6-C12, inclusive. Repealed, October 1, 2001.

B

Decision

Sec. 30-6-D1 through 30-6-D2, inclusive. Repealed, October 1, 2001.

Sec. 30-6-E1. Repealed, October 1, 2001.

Part IV: Meetings and Records

A

Meetings

B

Records

Sec. 30-6-F1 through 30-6-F4, inclusive. Repealed, October 1, 2001.

Part V: Keg Purchases

Sec. 30-6a-G1. Keg purchases

For purposes of the receipt required by subdivision (2) of subsection (c) of section 30-114 of the Connecticut General Statutes, permittees may accept and record the numbers of any of the following as other identifying information, in lieu of the purchaser's motor vehicle operator's license number: (a) Identity card, either Connecticut or out-of-state; (b) Military identification card; (c) Passport; (d) Alien registration card.

(Effective April 5, 1999)

Sec. 30-6a-G2. Deposit

Any holder of a package store permit or a grocery store beer permit that sells keg beer shall post a conspicuous sign at each point of sale to inform the purchaser of the deposit refund policy. The sign shall be at least six by nine inches in size, easily readable by a consumer making a purchase at such point of sale, and shall not contain any additional text including, but not limited to, store or promotional slogans, names or advertising. The sign shall read as follows: "ANY DEPOSIT PAID BY THE PURCHASER FOR THE KEG, IF REQUIRED, SHALL BE FORFEITED IF THE KEG IS RETURNED WITHOUT THE ORIGINAL IDENTIFICATION TAG INTACT AND READABLE." Such statement shall be in capital lettering.

(Effective April 5, 1999)