§1207. Taste testing of malt liquor

1. Taste testing on off-premises retail licensee's premises. Subject to the conditions in subsections 2 and 2-A, the bureau may authorize an off-premises retail licensee stocking at least 100 different labels of malt liquor to conduct taste testing of malt liquor on that licensee's premises. Except as provided in section 1206, an off-premises retail licensee may not allow any other consumption of liquor on the off-premises retail licensee's premises.
[PL 2021, c. 658, §220 (AMD).]

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

A. Malt liquor may not be served to persons who have not yet attained 21 years of age. [PL 2009, c. 459, §4 (NEW).]

B. A person may not be served more than a total of 12 ounces of malt liquor having an alcohol content of 6% or less; for malt liquor having an alcohol content greater than 6% but less than 12%, a person may not be served more than a total of 6 ounces; and, for malt liquor having an alcohol content of 12% or greater, a person may not be served more than a total of 3 ounces. [PL 2019, c. 79, §3 (AMD).]

C. A person may not be charged a fee for any malt liquor served as part of a taste-testing event. [PL 2019, c. 79, §3 (AMD).]

D. A person may not be served who is visibly intoxicated. [PL 2009, c. 459, §4 (NEW).]

E. A taste-testing event must be limited to a designated area. [PL 2019, c. 79, §3 (AMD).]

F. A taste-testing event must be conducted within the hours of retail sale established in this Title. [PL 2019, c. 79, §3 (AMD).]

G. [PL 2019, c. 79, §3 (RP).]

H. The retail licensee may conduct an unlimited number of taste-testing events per month. If the retail licensee complies with the applicable requirements of sections 460 and 1205, the retail licensee may offer spirits and wine for tasting at the same time as malt liquor. [PL 2021, c. 131, §3 (AMD).]

I. A taste-testing event is not allowed in any municipality where on-premises and off-premises sales are not allowed pursuant to chapter 5. [PL 2019, c. 79, §3 (AMD).]

J. [PL 2019, c. 79, §3 (RP).]

K. [PL 2023, c. 349, §5 (RP).]

K-1. Malt liquor served at a taste-testing event must be:

(1) Purchased by the retail licensee from a wholesale licensee;

(2) Purchased, at the retail price, by a licensed sales representative participating in the taste-testing event from existing stock available for purchase at the retail licensee's premises; or

(3) Provided by a licensed sales representative participating in the taste-testing event or by a manufacturer licensed under section 1355-A participating in the taste-testing event and purchased in the State at the retail price. A record of a transaction under this subparagraph must be maintained and made available to the bureau. After the taste-testing event is concluded, the licensed sales representative or manufacturer shall remove all products supplied for the taste-testing event from the licensee's premises. [PL 2023, c. 349, §6 (NEW).]

L. Prior to a taste-testing event, the retail licensee shall post prominently at the entrance to the store a sign that announces the date and time of the event. [PL 2013, c. 368, Pt. V, §44 (AMD).]

M. An off-premises retail licensee, with prior approval from the bureau, may conduct an invitation-only taste-testing event at the off-premises retail licensee's premises in place of or to coincide with a taste-testing event that is open to the public. A taste-testing event that is exclusively invitation only is not subject to the posting requirement in paragraph L. [PL 2019, c. 79, §3 (AMD).]

N. Malt liquor may be poured for the taste-testing event only by the owner or an employee of the off-premises retail licensee, by a sales representative licensed under section 1502 or, if the manufacturer of the malt liquor being poured is licensed under section 1355-A, by the manufacturer or an employee of the manufacturer. [PL 2021, c. 658, §221 (NEW).]

[PL 2023, c. 349, §§5, 6 (AMD).]

2-A. Written permission from the bureau. An off-premises retail licensee must obtain the written permission of the bureau before conducting a taste-testing event using the following procedure.

A. The retail licensee shall request authority to conduct a taste-testing event using forms prescribed by the bureau. [PL 2019, c. 79, §3 (NEW).]

B. The retail licensee may submit a separate form for each taste-testing event or a single form listing some or all of the taste-testing events the retail licensee requests authority to conduct in a calendar month under this section, section 460 and section 1205. [PL 2019, c. 79, §3 (NEW).]

C. The request must indicate the date and time for each taste-testing event and the liquor product or products that will be offered at each event. [PL 2019, c. 79, §3 (NEW).]

D. [PL 2021, c. 658, §222 (RP).]

[PL 2021, c. 658, §222 (AMD).]

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

[PL 2013, c. 476, Pt. A, §28 (AMD).]

REVISOR'S NOTE: §1207. Dual liquor license (As enacted by PL 2009, c. 438, §5 is REALLOCATED TO TITLE 28-A, SECTION 1208)

SECTION HISTORY

PL 2009, c. 459, §4 (NEW). PL 2009, c. 510, §§8-11 (AMD). PL 2011, c. 103, §3 (AMD). PL 2013, c. 368, Pt. V, §§44, 45 (AMD). PL 2013, c. 476, Pt. A, §28 (AMD). PL 2015, c. 129, §§6, 7 (AMD). PL 2019, c. 79, §3 (AMD). PL 2021, c. 131, §3 (AMD). PL 2021, c. 658, §§220-222 (AMD). PL 2023, c. 349, §§5, 6 (AMD).

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

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 132nd Maine Legislature and is current through October 1, 2026. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

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

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