CHAPTER 59

SALES REPRESENTATIVES

§1501. Lists of officers, partners and sales representatives

All persons selling liquor in the State shall furnish to the bureau a list of all officers and directors, if a corporation, or a list of all partners, if a partnership, and the name of the sales representatives of the person within the State. [PL 2015, c. 129, §8 (AMD); PL 2015, c. 184, §4 (AMD).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 1997, c. 373, §134 (AMD). PL 2013, c. 588, Pt. B, §5 (AMD). PL 2015, c. 129, §8 (AMD). PL 2015, c. 184, §4 (AMD).

§1502. License; fee; renewals

Sales representatives, including those described in section 1401, subsection 7, shall apply to the bureau for a license disclosing the person, firm or corporation represented. [PL 2015, c. 387, §2 (AMD).]

1. Fee. The annual license fee is $50.
[PL 1991, c. 376, §54 (AMD).]

2. Term of license. The license expires on the last day of December of the year in which it is obtained. It may be renewed annually on payment of the fee.
[PL 1987, c. 45, Pt. A, §4 (NEW).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 1991, c. 376, §54 (AMD). PL 1997, c. 373, §135 (AMD). PL 2015, c. 387, §2 (AMD).

§1503. Revocation of license

Licenses issued by the bureau under this chapter must be revoked for the violation of the liquor laws or any rule adopted by the bureau. [PL 1997, c. 373, §136 (AMD).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 1997, c. 373, §136 (AMD).

§1504. Samples of spirits products

A person licensed under section 1502 as a sales representative for a spirits supplier may give a retail licensee samples of spirits under the following conditions: [PL 2021, c. 658, §260 (AMD).]

1. Invoice required. The spirits must be accompanied by an invoice;
[PL 2021, c. 658, §260 (AMD).]

2. Product registered. The spirits must be listed by the commission for sale in this State and clearly labeled as a sample;
[PL 2021, c. 658, §260 (AMD).]

3. Taxes paid.
[PL 2019, c. 404, §28 (RP).]

3-A. Partial-bottle spirits samples.
[PL 2021, c. 658, §260 (RP).]

4. Sampling record; prohibited recipients. The sales representative who provides the sample shall maintain a log stating the names of the agency liquor store or on-premises retail licensee to whom a full-bottle sample is given under subsection 5 or the person to whom a partial-bottle sample of spirits is given under subsection 6 and the amount of that partial-bottle sample. The person to whom the sales representative gives spirits samples under this section may not be a minor or a visibly intoxicated person;
[PL 2021, c. 658, §260 (AMD).]

5. Full-bottle samples. The maximum amount of unopened full-bottle samples of spirits given to a retail licensee by a sales representative may not exceed 6 liters per year per distillery represented by that sales representative. Individual samples may not exceed one liter. A full-bottle sample is an unopened bottle of spirits provided to an agency liquor store or an on-premises retail licensee licensed to sell spirits;
[PL 2021, c. 658, §260 (AMD).]

6. Partial-bottle samples. Bottles of spirits designated for partial-bottle sampling must be properly sealed between samplings. Samples poured from a bottle of spirits designated for partial-bottle sampling may be provided only:

A. On the premises of a retailer licensed to sell spirits for on-premises consumption to the owner of or a supervisory or managerial employee of the retailer; or [PL 2021, c. 658, §260 (NEW).]

B. On the premises of an agency liquor store to the owner of or a supervisory or managerial employee of the agency liquor store; [PL 2021, c. 658, §260 (NEW).]
[PL 2021, c. 658, §260 (AMD).]

7. Records maintained. Records of samples given or received under this section must be maintained for a 2-year period by the sales representative and the retail licensee that gave or received the samples; and
[PL 2021, c. 658, §260 (AMD).]

8. Access to samples. A sales representative shall request samples from bailment inventory of a spirits supplier housed at the wholesale spirits provider's warehouse for the purposes described under this section.
[PL 2021, c. 658, §260 (AMD).]

SECTION HISTORY

PL 2007, c. 113, §1 (NEW). PL 2007, c. 695, Pt. E, §1 (AMD). PL 2011, c. 629, §§31, 32 (AMD). PL 2017, c. 35, §2 (AMD). PL 2019, c. 404, §28 (AMD). PL 2021, c. 658, §260 (AMD).

§1505. Participation in tasting events

A sales representative holding a license under section 1502 may participate in a tasting event permitted under section 460; section 1051, subsection 8; section 1205; or section 1207 subject to the provisions of this section. [PL 2015, c. 329, Pt. D, §2 (RPR); PL 2015, c. 329, Pt. D, §4 (AFF).]

1. Educational presentations. A sales representative participating in a tasting event pursuant to this section may provide written or oral educational presentations and materials relating to the brands and products being offered for tasting at the event, as long as no cost is imposed for the presentations or materials on the licensee or the consumer.
[PL 2009, c. 459, §5 (NEW).]

2. Complimentary food or snacks. A sales representative participating in a tasting event pursuant to this section may provide and distribute, at no cost to the consumer or the licensee, complimentary food or snacks to be offered and consumed in conjunction with the products to be tasted, as long as the total cost for the food or snacks does not exceed $200 per event. Any remaining food or snacks

provided in conjunction with a tasting event must be removed from the licensee's premises by the sales representative at the conclusion of the tasting event.
[PL 2009, c. 459, §5 (NEW).]

3. Records and invoices. A sales representative participating in a tasting event pursuant to this section shall keep and maintain records and invoices showing the costs for any food, snacks or educational or informational materials provided at any approved tasting event.
[PL 2009, c. 459, §5 (NEW).]

4. Pour, provide or distribute. A sales representative participating in a tasting event pursuant to this section may not pour or distribute to consumers the products being offered for tasting during the event unless the sales representative was listed on a request submitted to the bureau by a licensee to conduct a taste testing in accordance with section 460; section 1051, subsection 8; section 1205; or section 1207. A sales representative who pours or distributes products to consumers at a tasting event under section 460; section 1051, subsection 8; section 1205; or section 1207 must have successfully completed an alcohol server education course approved by the commissioner. A sales representative may purchase or provide liquor for a consumer tasting event in compliance with section 460, section 1205 or section 1207 if the sales representative has successfully completed an alcohol server education course approved by the commissioner.
[PL 2023, c. 349, §7 (AMD).]

The bureau may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2013, c. 476, Pt. A, §32 (AMD).]

SECTION HISTORY

PL 2009, c. 459, §5 (NEW). PL 2013, c. 368, Pt. V, §47 (AMD). PL 2013, c. 476, Pt. A, §32 (AMD). PL 2015, c. 129, §§9, 10 (AMD). PL 2015, c. 184, §§5, 6 (AMD). PL 2015, c. 329, Pt. D, §§2, 3 (AMD). PL 2015, c. 329, Pt. D, §4 (AFF). PL 2023, c. 349, §7 (AMD).

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