



FORWARD

BOB JAUCH

WISCONSIN STATE SENATOR

February 12, 2014

Testimony from Senator Jauch in Support of SB 535

Good morning committee members. Let me begin by thanking Chairman Moulton for allowing SB 535 to receive a public hearing today and for allowing me to provide testimony in support of the bill.

SB 535 is a very simple piece of legislation intended to balance the playing field for a growing industry here in Wisconsin.

As you know, a measure allowing for wine tasting samples to be distributed in retail stores was passed by this legislature in 2001, with similar legislation allowing for beer samples to be distributed passed in 2007. SB 535 simply extends the opportunity that is available to wineries and breweries to makers of distilled spirits as well.

As was the case with the 2001 and 2007 bills, this legislation will help growing small businesses promote their products and expand their customer base. As you will hear later, this has been a valuable tool for small brewers and wine makers throughout Wisconsin who lack the resources for traditional promotional campaigns.

In Iron River, located in my district, White River Winery is a small, family owned business that has grown steadily over the last 15 years. Like any business, they've looked to diversify and expand their opportunities for growth.

They saw first-hand how the "try before you buy" option helped promote and grow their winery, and they are very hopeful the legislature will allow them to use that same marketing strategy for their growing list of distilled spirits. As you will hear later, this is a common theme for small businesses throughout the state.

Clearly, the public perception of distilled spirits is different from the public's perception of wine and beer. That's why this legislation was drafted to ensure that the amount of alcohol made available would be comparable to the amounts available in beer and wine samples.

The legislation allows for three, half ounce sample servings per individual. The 1.5 total fluid ounces of alcohol included in those samples is significantly less than the 6 total ounces that are allowed for beer and wine under current law. The idea is that this law allows for one standard sized drink while current law allows for a glass of wine that is slightly larger than the glass of wine you would get in a bar or restaurant.

In other words, if you believe the sample sizes available for beer and wine are responsible, than the sizes set for distilled spirits in this bill are responsible as well.

In closing, I hope the committee will strongly consider passing this legislation and give Wisconsin's growing distilled spirits industry a chance to expand their markets and grow their businesses in the same way breweries and wineries have done.

Thank you.



JoCasta Zamarripa

STATE REPRESENTATIVE

Testimony on Senate Bill 535

I am Rep. JoCasta Zamarripa and I am a co-author of SB 535, the distilled spirits tasting bill.

I first became aware of this bill last session as a freshman legislator. Guy Rehorst, the owner of Great Lakes Distillery, came to testify in support of the legislation and I immediately recognized him as a business owner in my district. Great Lakes Distillery makes its home in my 8th Assembly District, on the near south side of Milwaukee, and I cannot tell you how proud I am of that. Guy has grown his small business from the ground up. I remember when I first visited Great Lakes Distillery there was just a small bar in the warehouse part of the distillery. Guy has now invested in an outdoor patio area and a beautiful brand new bar upstairs from the warehouse.

Guy is a perfect example of the entrepreneurial spirit we must cultivate in Wisconsin. In the 21st century, it is the small business owner that truly grows good jobs and the strong economy that our state so desperately needs. Guy began his business by himself. He now employs six full-time employees and eight part-time employees with good paying middle-class jobs.

This bill would allow Guy to have his spirits sampled at grocery stores and liquor retailers by customers who are of legal drinking age. Wine and beer can already be sampled at these locations. This bill levels the playing field so that distilled spirits can be sampled, too, and in a much smaller amount. No more than three, 1/2 oz. pours may be given to a customer. That's the equivalent of one shot and the likelihood that they would be given all three, 1/2 oz. pours is slim. These may be "free" samples for the customer, but the producer, Guy, has to pay a licensed representative to dole out these samples in a professional and responsible manner in order to continue to grow the credibility of his business, grow jobs, and strengthen our economy.

This bill, AB 344, is an economic development bill that promotes commerce in our great state. If you believe in free market economics, and I know so many of my colleagues on the other side of the aisle do – you should support this bill. Distillers like Guy Rehorst are at a competitive disadvantage in comparison to beer and wine producers, who have been able to offer samples since 2001 and 2007 respectively.

Since AB 104 passed in 2001 & AB 122 passed in 2007, which allow the sampling of wine and beer in our state, we have seen an explosion in the number of wineries and craft breweries throughout Wisconsin. These small businesses are thriving, they're growing jobs, and they're growing our economy.

It is time for Wisconsin to support distillers like Guy Rehorst and Great Lakes Distillery, by simply leveling the playing field. Our U.S. Senator, Tammy Baldwin so often says this about Wisconsinites:

"We work hard, and we want a fair shot. That is all." I bet we hear something very similar from Guy and the other small business owners here today.

They work hard. And they want a fair shot. Nothing more, nothing less. Thank you for your time.

8TH ASSEMBLY DISTRICT

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TESTIMONY

Of

Toby J. Spangler
Senior Director, Diageo State Government Relations
Madison, WI

On

Senate Bill 535 (Senator Jauch) - Spirits Tastings

Senate Committee on Agriculture, Small Business and Tourism
February 12, 2014

Chairman Moulton, Members of the Committee: My name is Toby Spangler, Senior Director, State Government Relations for Diageo, NA, Madison, WI. I am here today on behalf of Diageo, NA; we are one of the world's leading suppliers of premium spirits, beer and wine. You may recognize some of our brands; Smirnoff, Captain Morgan, Johnnie Walker, Crown Royal, and Baileys Irish Cream. We also have a large portfolio of beer and wine products; Guinness, Harp and Red Stripe as well as wine brands BV and Sterling to name a few.

I want to thank Senator Jauch for his leadership on this issue as well as Chairman Moulton and the members of the Senate Committee on Agriculture, Small Business and Tourism for the opportunity to offer our support for Senate Bill 535. This legislation would allow adult consumers to taste up to: three 0.5 ounces of a particular brand of distilled spirits to determine whether the product suits their palate and budget, before making the decision to pay for a full-sized premium or ultra-premium product.

However, before I proceed any further on the current legislation. I think it is important to step back in time for some history on the issue. Almost seven years ago; similar legislation was amended into the 2007-2009 biannual budget and passed by the Assembly and Senate. Governor Doyle decided to veto that provision. There were misconceptions about how tastings would take place. Others felt the bill should have gone through the normal committee process. During the 2011-2012 session; Representative Kleefisch introduced AB 480. The legislation was granted a hearing, but did not become law. Representative Kleefisch with bi-partisan support introduced HB 344 during the 2013-2014 session. AB 344 was heard in the Assembly Committee on State Affairs on October 3, 2013. Today, you will hear from many of the same stakeholders who testified in support of AB 344.

I and others hope today's hearing will address both of those concerns. . There seems to be a fair amount of misunderstanding about how spirits tasting are conducted. I hope that Ms. Bright's testimony was informative and helpful in giving you a better understanding on how the process works. Diageo works with trained professionals similar to Ms. Bright's company. We are very committed to conducting these events in a very socially responsible manner.

I would also like to bring to your attention that since 2007, seventeen states have passed spirits tasting legislation or made changes to their existing laws. This brings the total number of states to forty four that allow some form of tastings of distilled spirits at the on and off premise.

I would now like to share with the committee some key points about responsible drinking and Diageo's commitment to Social Responsibility.

- A recent report by the University of Michigan's Monitoring the Future confirms that use of alcohol by teens has dropped dramatically over roughly the past two decades—particularly among the youngest teens—and continues to drop in 2013. The 30-day prevalence of alcohol use declines in all three grades in 2013, dropping 0.8, 1.9 and 2.3 percentage points in grades 8, 10 and 12. The 12th-grade decline is statistically significant as is the decline for the three grades combined. All three grades are now at the lowest point that they have been at least since the mid-1990s, and likely longer. Among 8th graders, most of whom are 13 or 14 years old, the proportion who have ever taken "more than just a few sips" of alcohol by 8th grade has fallen by half since the 1990s.
- Highly respected independent and government organizations demonstrate the serious progress that can be made when public and private stakeholders work together for a common cause, the type of work that Diageo supports across the country with a number of programs.

- Over the last several years, Diageo's iconic brands including Johnnie Walker, Captain Morgan and Ciroc have partnered with the Department of Transportation (DOT) in a number of states including: New York, Florida, Illinois and Nevada to ensure people get home safely, providing free debit cards and single ride Metro Cards for New Yorkers to use in taxis, trains and subways. The Safe Rides Home program enlists revelers, their friends and family members, as well as the city's transportation professionals: cab, livery and bus drivers and subway operators to make sure everyone gets home safely.
- In addition to the Safe Rides Program, Diageo supports the federal government's "We Don't Serve Teens Campaign" aimed at preventing adults from providing alcohol to underage persons.
- To address responsible drinking in retail establishments, bars and communities, Diageo supports the Responsible Retailing Forum and the Responsible Hospitality Institute. Both groups have been awarded government grants for their evidence-based approaches.

Diageo is a founding member of The Century Council and supports its award-winning programs to reduce drunk driving and underage drinking in states across the country.

We operate in a very competitive industry. There are thousands of distilled spirits brands in the market place, with many new brands being introduced each year. Innovation has led to strong growth in the spirits category as well as an explosion in the Craft Beer segment. A large multi-national beer company has recently introduced a beer that is supposed to have a taste similar to Bourbon and has a higher ABV compared to their leading brands. They suggest the beverage be served in a "rocks glass" when possible. Obviously this company is seeking to meet consumer demands, and must feel that making a brand that has some characteristics of a type of spirits brand will be successful. Frankly, that is called competition. We at Diageo welcome brands that compete against our brands. Unfortunately, in Wisconsin the playing field favors those who are in the wine and beer business.

Consumers expect variety and companies are working hard to meet that demand. This trend is helping both on-premise and off-premise businesses as consumers move up to premium and ultra-premium brands that increase their profit margins.

Tastings are a customary, longstanding, effective and responsible way to both introduce customers to new brands and to acquaint them with the wide variety of distilled spirits products that are available for purchase. This allows the large suppliers as well as the specialty producers an opportunity to compete in the market place. Senate Bill 535 is a positive step forward in the highly competitive beverage alcohol marketplace.

This legislation also creates a leveling of the marketplace with respect to wine and malt beverage tastings, which are currently allowed under state statute.

Retail sales of beverage alcohol products, enhanced by effective marketing tools like tastings, contribute to jobs, tax revenues and the economy of Wisconsin as a whole. Tastings, conducted in a professional and responsible manner, are currently permitted in some form in 44 states.

We thank you for the opportunity to express our views on this issue and we urge your positive support of Senate Bill 535. I would be happy to answer any questions from the Chairman or members of the committee.



TO: Members, Committee on Agriculture, Small Business and Tourism
FROM: Melissa Horn, Health First Wisconsin
RE: Opposition to Senate Bill 535
DATE: February 12, 2014

Thank you for the opportunity to submit testimony today on Senate Bill 535, which would provide taste samples of intoxicating liquor at retail establishments. Health First Wisconsin urges this committee to oppose this legislation as it would add to the already hazardous consequences of binge and underage drinking and rising drunk driving violations in our state. The last thing Wisconsin needs is to give out free mini-shots at our gas stations and grocery stores, which would further encourage impaired driving and add to the growing cost of alcohol misuse on businesses and families.

It is well-known that increasing alcohol access and availability are two primary factors leading to risky and problematic drinking, including binge and underage drinking. In fact, Wisconsin's annual alcohol consumption is 28% higher than the national averageⁱ and we rank worst in the nation in binge drinkingⁱⁱ and worst in the nation in drinks per binge drinking episode.ⁱⁱⁱ Our state also consistently ranks near the top in drunk driving arrests and drunk driving fatalities. Just looking at adult drinking and driving, our rates are double the national average.^{iv} Our liquor law violations are also three times the national average with disorderly conducts arrests related to alcohol totaling five times the national rate.^{iv}

To put even more numbers on the serious nature of our alcohol problem for the committee, in 2011, excessive drinking in Wisconsin resulted in approximately 1,529 deaths^{vi}, 48,578 hospitalizations^{vii}, 46,583 treatment admissions^{viii}, 60,221 arrests^{ix} and 5,751 motor vehicle crashes^x. For a state with this severe of a drinking problem, this bill does nothing but add fuel to the fire.

Making alcohol more accessible and available through free liquor sampling also adds to the financial costs of alcohol on our state. Researchers from the University of Wisconsin Population Health Institute recently estimated that excessive drinking costs Wisconsin \$6.8 billion dollars per year.^{xi} "The Burden of Excessive Alcohol Use in Wisconsin" report, released in March 2013, revealed that many of those costs are borne by taxpayers and nearly \$2.9 billion in costs resulted from lost productivity at work.^{xi} That averages to nearly \$1,200 per person in terms of overall cost!

With these serious drinking problems in mind, the state does not need to encourage alcohol consumption by allowing grocery stores, gas stations and other retailers with a "Class A" licenses to give away free samples of distilled spirits. Unfortunately, existing state law already allows these retailers to provide free beer samples to individuals. Given that distilled spirits have significantly higher alcohol content than beer, extending this sampling practice to distilled spirits defies common sense and could compromise public safety.

In addition, nothing in this bill prevents individuals from going store to store or from one gas station to another, to get free shots of distilled spirits. More often than not, these same individuals who would take free liquor samples would then get into their car and drive away from the store. The last thing Wisconsin needs is more alcohol-impaired drivers on our roads.

Wisconsin needs to take our alcohol-related problems seriously. We need to start addressing these issues by finding solutions to improve the health and safety of our families, businesses, and neighborhoods. The simple fact is that this legislation creates more alcohol-related problems— not more solutions. With these consequences in mind, we urge committee members to oppose Senate Bill 535 and instead look for ways to reduce the burden of alcohol on our state.



ⁱ Wisconsin Department of Health Services. Behavioral Risk Factor Surveillance System. Binge drinking rates from 2006-2008 were used for county analysis due to small sample sizes and available weights (county-specific weights were not available for 2008-2010 data). Binge drinking rates from 2006-2008 were used for state analysis to be consistent with county analyses.

ⁱⁱ Youth Risk Behavior Surveillance System, <http://www.cdc.gov/healthyyouth/yrbs/index.htm>

ⁱⁱⁱ Centers for Disease Control and Prevention. Morbidity and Mortality Weekly Report, January 2012. Vital Signs: Binge Drinking Prevalence, Frequency, Intensity Among Adults—United States, 2010.

^{iv} University of Wisconsin Population Health Institute, Department of Population Health Sciences. Impact of Alcohol and Illicit Drug Use in Wisconsin, 2007.

^v University of Wisconsin Population Health Institute, Department of Population Health Sciences. Impact of Alcohol and Illicit Drug Use in Wisconsin, 2007.

^{vi} Wisconsin Department of Health Services. Wisconsin resident death certificates. Annual average numbers 2002-2010.

^{vii} Wisconsin Department of Health Services. Wisconsin hospital inpatient discharge database. 2011.

^{viii} Wisconsin Division of Mental Health and Substance Abuse Services. Human Services Reporting System staff data query. 2013.

^{ix} Wisconsin Statistical Analysis Center, Wisconsin Office of Justice Assistance. Arrests in Wisconsin 2010. 2011

^x Wisconsin Department of Transportation. 2010 Wisconsin Traffic Crash Facts, Section V: Alcohol. 2011.

^{xi} Black PD, Paltzer J. The Burden of Excessive Alcohol Use in Wisconsin. University of Wisconsin Population Health Institute, March 2013.

WOLLERSHEIM WINERY
Experience Wine History as Old as Wisconsin

Mailing address:
PO Box 87
Prairie du Sac, WI 53578



Street address:
7876 Hwy 188
Prairie du Sac, WI 53578

February 12, 2014

Dear Senate Agriculture, Small Business and Tourism Member:

SB 535 proposes allowing tastings of distilled spirits in Wisconsin stores. We write to express our support of this bill.

We are in favor of the bill because it puts distilled spirits on a level playing field with beer and wine; similar tasting practices are currently allowed in Wisconsin for beer and wine. The bill also promotes consumer awareness of the many finely-crafted spirits in our state.

You may be aware that we released our first brandy in April 2013. We are looking forward to growing our distillery business with a range of new distilled products. In addition, we are working on plans to add a distillery and are breaking ground on it this year.

We encourage you to support SB 535 in favor of distilled spirits tasting in Wisconsin stores.

Sincerely,

Two handwritten signatures in black ink. The first signature is on the left and the second is on the right. Both appear to be cursive and represent the names Philippe and Julie Coquard.

Philippe and Julie Coquard
Owners, Wollersheim Winery

February 11, 2014

RE: SB 535

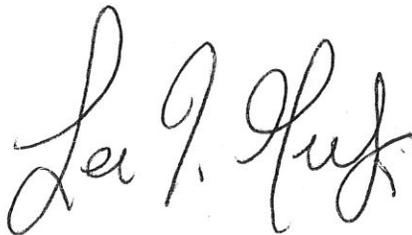
Dear Wisconsin Senators,

I am writing this letter as a member of the Wisconsin Tavern League and owner of a bar in Wisconsin. It has been brought to my attention that the Tavern League is taking a stand against in-store tasting of spirits (SB 535) despite the fact that beer and wine already enjoy this marketing opportunity and that the League previously supported those legislative changes. I cannot understand why the League would take this short sighted stand and as a member I do not agree with it.

As a small business owner I believe this legislation is important for distilled spirits producers that simply want a level playing field with the breweries and wineries. It is also important for Wisconsin's consumers. In fact, allowing consumers to sample spirits will make them better informed about new products they may like. In the long run this can only help my customers and my business.

I believe Wisconsin's bars and restaurants were not negatively affected when laws changed to allow wine tasting and beer tasting and I see no reason why they would be affected by spirits sampling.

Distilleries simply want a level playing field to market their products and I support them. I urge the Wisconsin Senate to pass SB 535.

A handwritten signature in cursive script that reads "Lee Guk". The signature is written in black ink and is positioned above the typed name and contact information.

Lee Guk

Owner of Lucky Joe's Tiki Room and member of the Wisconsin Tavern League
196 S. 2nd St. Milwaukee, WI
414-271-8454



Wisconsin Troopers' Association

Executive Director – Ryan Zukowski

Glen Jones – President

4230 East Towne Blvd. #322

Madison, WI 53704

<http://www.wi-troopers.org/>

To: Chairman Moulton and Members of Senate Committee on Agriculture, Small Business & Tourism
From: Ryan Zukowski, Executive Director
Date: February 12, 2014
RE: Opposition to Senate Bill 535 – expanding liquor sampling to Class A retail licensees

Thank you for the opportunity to submit comments regarding Senate Bill 535. I write on behalf of the 350 members of the Wisconsin Troopers' Association to express our opposition to the bill.

As Troopers, our main concern is and always will be public safety. Our duties relating to highway safety are far-reaching and include OWI and speed enforcement, as well as technical crash reconstruction, which far too often can be the after effects of drunk driving.

We believe that this bill runs counter to the public's growing concern and perception about drunk driving and our ability to prevent traffic crashes and fatalities.

- Senate Bill 535 fails to identify the major differences between sampling beer or wine and sampling shots of liquor. By attempting to create a level playing field for the three separate industries, the serious public safety difference between them goes unnoted.
- Distilled spirits generally contain significantly more alcohol than beer or wine, this poses a threat to safety of the customer and all others they may encounter on the drive home. This bill would allow for three, ½ ounce samples of liquor, and assuming the liquor sampled is 80 proof, it is the equivalent in alcohol content of consuming more than 12 ounces of beer.
- It is important to note it's already legal to sample liquor in a controlled setting of a Class B licensed establishment. Class B licenses are already heavily regulated to ensure that liquor is served in a responsible fashion, and underage persons are not allowed on premise without a parent or guardian.
- Expanding this to allow liquor sampling in Class A establishments is not necessary and runs counter to the growing concerns of drunk driving and highway safety.



by Jon Konarske, publisher

Seeking 25 People Making a Difference

As we honor our first “Executives of the Year” in this issue (and please make it a point to join us at the awards event on Feb. 18 — see page 11 for more details), I thought it would be a good time to announce another exciting new feature that will debut in our July issue, titled “Madison’s 25 Most Influential People of 2014.”

This new program will recognize individuals who have made a significant difference in their workplaces, industries, and communities during the past 12 months.

I anticipate that our initial list will include some familiar faces along with some lesser-known names — but all will have a story worth telling. Whether they’re part of a for-profit business, nonprofit organization, or government entity, they will be people who impact the way we live, work, play, and give back to this great community.

IB’s top-notch editorial staff will make the final selection, but they welcome your input. If you would like to nominate a business or community leader as one of the 25 most influential people in 2014, please do so. We readily admit that we can’t possibly know about every major person of influence in the area, so we welcome your suggestions.

We will not have a formal application process for this program; we ask that you simply email any nominations to our editorial director, Joe Vanden Plas, at joe@ibmadison.com. In your

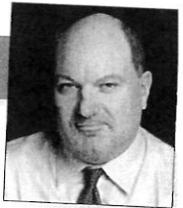
Tell us who you think are the most influential people of the past year. They could be featured in our July issue!

email, please list the person you would like to nominate and explain why you feel he or she should be on the list.

We are accepting nominations through April 15. At that time, the editorial team will sit down and debate all nominations (both internal and external) until the final 25 spots are agreed upon. But now is the time to put forward your nominations to help the most influential people in the region get the recognition they deserve. **IB**

VAN LINES

by Joe Vanden Plas, editorial director



Spirited Debate Should Bring Tastier Result

I’ve never felt more like singing the blues for booze, or at least popping a cork for Wisconsin’s small distilleries, which simply ask for a level playing field.

In Wisconsin, outfits like Madison’s Yahara Bay Distillers are not allowed to offer product samples — tastings — at licensed retailers like groceries or liquor stores. When you make 18 products, including several low-alcohol liqueurs enriched by Wisconsin’s apple and cranberry industries, it helps to have consumers sample

would result in more mayhem than an Allstate commercial, but Quint thinks they’ve sampled too much of their own brew. “All alcohol is the same, whether it’s wine, beer, or spirits,” he says. “It’s just a matter of quantity.”

A sampling, he adds, is about a half-ounce, the equivalent of a teaspoon. That’s enough alcohol content to fall between what is currently allowed for beer and wine, and the proposed law would allow no more than three samples per person.

Thanks to champions of small business, Wisconsin distilleries can have tastings in their own facilities. They can also go into bars, but tastings don’t work in those settings because people go there for cocktails, not to purchase entire bottles.

But without the ability to offer tastings in Wisconsin grocery and liquor stores, Yahara Bay does more business in New York, one of 37 states that allow distilleries to have tastings in stores, than in its home state.

That’s why lawmakers should let Wisconsin consumers — not the big brewers who finance their campaigns — choose winners and losers. When the free market is allowed to work, consumers make their own choices and the providers of products and services either respond to them or risk losing market share. The debate over distillery tastings is another example of government partnering with big business to interfere with that process — this time, at the expense of both consumers and small businesses. **IB**

All alcohol is the same, whether it’s wine, beer, or spirits. — Nick Quint, owner and founder, Yahara Bay Distillers

your products. Without tastings, consumers naturally are reluctant to commit upwards of \$40 per bottle.

Nick Quint, owner and founder of Yahara Bay, blames the “Big Beer” contingent of the Wisconsin Tavern League for working to scuttle a bill, AB 344, that would put distilleries on par with wineries and breweries, which are allowed to have such tastings. I’m tempted to say Wisconsin has one of the best legislatures that Big Beer can buy, but the lawmakers who have sponsored AB 344 certainly get it, and Gov. Scott Walker has told Quint he would sign the measure if it reaches his desk.

Those opposed to moving it there suggest that spirit tastings

POST A REPLY AT WWW.IBMADISON.COM/BLOGS, WHERE YOU CAN READ ONLINE POSTS BY VANDEN PLAS AND MORE THAN 20 OTHER BLOGGERS.

Bright Promotions, L.L.C.
private-corporate-retail

Bright Promotions, LLC.
Christine Bright
Cottage Grove, WI

Senate Bill 535
February 9th, 2014

Dear Senators,

I have worked in the liquor industry for over six years. I have conducted beer and wine sampling at retail Class A locations for about five years, three of those years as a small business owner. As the owner of Bright Promotions, LLC., a beer wine and spirits promotional company I wanted to present the benefits the passage of Senate Bill 535 would provide to small business owners like myself as well as other businesses in the retail distribution chain.

1. Spirit sampling would aid the growing craft distillers in Wisconsin by reducing cost of entry into market as an affordable, highly effective marketing/promotional tool. The average cost of an event for 2 hours would be about \$100. Craft Distilleries have small budgets and this is an affordable option to help promote their brand.
2. Promotional businesses like mine would see growth quickly after the passage of this bill. I already have established relationships with the distributors that hire my staff for beer and wine sampling. These distributors would naturally contact me to start handling spirit sampling. As a whole, spirit brands spend more on marketing compared to beer and wine brands. I foresee my business doubling within a year of the passage of this bill.
3. Retail sampling would allow the consumers to be more educated about the product they are sampling and make a more informed buying decision. Marketing directly to your consumer is the best way to increase awareness of a brand.
4. Consumers have the opportunity to purchase the product immediately, benefiting the retailer. For craft distillers, this means more sales which equals more growth. Since there are fifteen craft distillers in WI, with more to come, this means more revenue for the state of Wisconsin.

Please consider passing this bill and give spirits the same marketing and promoting opportunity that is currently given to beer and wine brands.

Christine Bright
Owner
Bright Promotions, LLC.

Responsible Server Guidelines

Bright Promotions plays a major role in helping our clients promote sensible drinking. As such, we are committed to ensuring that our employees understand server guidelines.

There are three types of guests to whom you **cannot** legally serve alcohol:

- A guest who is under 21 (underage)
- A guest who is buying for someone underage
- A guest who appears visibly intoxicated

How do you know when a guest is visibly intoxicated?

Behavioral Cues are the best tools for identifying visible intoxication. The following are four cues that suggest the guest is intoxicated:

- **Lowered inhibitions** – talkative, inappropriate actions
- **Impaired judgment** – yelling, foul language
- **Slowed reactions** – slurred speech, glassy eyes, forgetting what they are talking about
- **Loss of coordination** – stumble, fall asleep at bar

While Behavioral Cues are a very useful tool for assessing the level of intoxication in your guest you sometimes need more than just visual clues. **Intoxication rates** can give you a complete picture of your guest based on **physical traits**. There are six physical traits that impact how quickly or slowly alcohol affects people:

- **Physical size** – usually smaller people are affected more quickly than larger people
- **Body fat** – the more body fat the more quickly the person will be affected by alcohol
- **Gender** – women tend to be affected more than men because they are generally smaller and have more body fat
- **Rate of consumption** – a person who drinks quickly will be affected more than someone who drinks slowly
- **Strength of drink** – drinks with a higher content of pure alcohol will cause intoxication faster than drinks with a lower alcohol content
- **Food** – eating food before or while drinking alcohol can significantly slow down intoxication
- **Drug use** – guests who mix alcohol with legal or illegal drugs may become intoxicated much faster than those that don't

Preventing Illegal Alcohol Sales

You must take **Reasonable Efforts** to prevent illegal alcohol sales. The more reasonable efforts you make, the less likely you are to serve alcohol illegally. The following are Reasonable Efforts you can employ depending on the situation (always speak to account management prior to taking any action):

- Check ID
- Suggest food
- Refuse service
- Call police
- Suggest non-alcoholic drinks
- Monitor guests
- Ask questions
- Call a cab

Documenting an Incident

Documentation can be your best asset when something unexpected happens. One of the best ways to prove that you used Reasonable Efforts to prevent an illegal sale is to document an alcohol-related incident. You should document any incidents that fall under the following guidelines:

- Anytime you have to cut-off a guest
- If there is a possibility of or actual violence
- Whenever you have to call for assistance
- If you ever have to refuse service to a guest just arriving at the account

Always alert your Event Manager if an incident occurs. They will instruct you on the information they need to formally document the event.

Sampling Responsibly

ON-PREMISE

- Where sampling is permitted in the on-premise, ensure that appropriate identification measures are taken to prevent underage drinking.

OFF-PREMISE

- Before giving a sample to a consumer in the off-premise, Bright Promotions requires that you must check their identification regardless of their age.
- While this is not required by law, it is Bright Promotions policy to ensure that no one underage is ever served in the off-premise.
- This policy applies to alcoholic and non-alcoholic samples.
- Failure to check identification is grounds for termination.

Acknowledgment

I acknowledge that I have received, read, and understand the Responsible Server Guidelines. I understand that failure to comply with this policy may result in disciplinary action up to and including termination of my employment with Bright Promotions.

Employee Signature

Date

Employee Name (Print)