
Alcohol & Tobacco Control

June 24, 2016

Dear Alcoholic Beverage Dealers:

As part of a continued effort to promote awareness of and compliance with the Louisiana Alcoholic Beverage Control Law, please review the following:

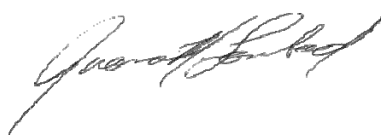
Pursuant to Title 26 of the Louisiana Revised Statutes and Title 55 of the Louisiana Administrative Code (collectively, the Louisiana Alcoholic Beverage Control Laws), it is unlawful for an alcoholic beverage alcohol wholesaler, manufacturer, and/or supplier to provide a licensed retail dealer with anything of value, either directly or indirectly, unless it is explicitly provided for as an exception in the Louisiana Alcoholic Beverage Control Laws. (Attached is a current copy of the Trade Practice Regulations, which set forth the authorized exceptions.) The function of such trade practice regulations is to “prevent[] unlawful and unfair inducements for the retail purchase of alcohol and unlawful coercion, bribery, kickback demands, and other unfair and unlawful business practices.” LAC 55:VII.317(B)(4).

Industry members and retail dealers cannot give or receive anything of value through third parties entities, such as non-profit groups, in an attempt to circumvent the Trade Practice Regulations. For example, a retail dealer may not use a non-profit organization created by the retailer’s owners to solicit funds from an industry member and prefer the industry member’s products at the retailer’s location to the exclusion of other alcoholic beverage products. Such actions would violate the Trade Practice Regulations.

The use of such third parties, such as non-profit groups, to circumvent the Trade Practice Regulations may be attributed to both the industry member and retail dealer who engage in such transactions and may result in the imposition of penalties, up to revocation of their alcoholic beverage permit.

A current version of the Louisiana Alcoholic Beverage Control Law and Regulations can be downloaded from our website at www.atc.la.gov. You may direct any questions or requests for additional information to ATC Legal Counsel, Jacqueline Wilson, at 225-925-4041 or Ernest Legier, at 504-568-7032.

Sincerely,



Juana Lombard, Commissioner
Louisiana Office of Alcohol and Tobacco Control

