

Guidelines for Public Tastings by Industry Members

Industry members are defined as suppliers, manufacturers, distillers, rectifiers, wholesalers, brokers, or an entity authorized to represent a supplier whose liquor and/or wine products are offered for sale by the ISLD.

Tasting/Sampling is defined as the providing of liquor at no charge in connection with the promotion of the suppliers'/brokers' business. Idaho Statute 23-509 provides the latitude for manufacturers and wholesalers to do this. Samples are an industry incurred expense for the sole purpose of promoting their product.

These guidelines for tasting/sampling are applicable only under the auspices of a by-the-drink (quota) license which would also include a catering license:

1. Industry members can provide liquor for a public tasting in one of three ways: 1) furnish product to the licensee (Note: IDAPA 021.11 limits to ten wine gallons per month the volume of "samples" that suppliers can provide their representatives), 2) direct the licensee to purchase product from an ISLD liquor store, or 3) utilize product in licensee's existing inventory. Supplier may reimburse the licensee for sample liquor up to the licensee's normal retail (by-the-drink) price; Licensees and suppliers should also be aware of the potential application of Idaho Code 23-921, which restricts the licensee from giving away liquor, other than by retail sale by the drink.
2. Bottles used to pour samples must be purchased (either by the supplier or licensee) from the ISLD. Upon conclusion of a tasting event, supplier must remove any sample bottles paid for by the supplier from the licensee's premises. Sample bottles, whether full or partially-full, may NOT be left for licensees.
3. Distillers may have sample tastings of their products away from their distillery if the premises has a liquor by-the-drink (quota) license or catering license. Licensee assumes liability for activity performed under its license including activities of the industry members and licensee and his/her associates and agents, including industry members, are subject to compliance of Title 23, Idaho Code and shall ensure no allowance is tolerated for violations, thereof Title.
4. Industry members or licensee employees may pour at the tastings. Licensee assumes liability (including the industry member's) for activity performed at its licensed premises. Pourers, whether employed by the licensee or not, are subject to liability for any violations of Idaho Code 23-615. Server training (e.g., TIPS) certification is strongly encouraged.
5. Neither suppliers nor licensees may charge the public for tasting samples. Licensee may charge an event cover fee but may not charge for the purchase of glasses, etc. used for a tasting. It is not permissible to circumvent rules in order to charge for the tasting of sample bottles of liquor.

6. Suppliers can mix cocktails, etc. for tasting purposes. In the interest of business promotion, suppliers can demonstrate the different manners in which their products can be prepared/mixed/consumed.
7. Tasting samples are not limited in size when a liquor license is present. Sample sizes are governed by industry members' and/or licensees' internal policies. ISLD/ABC recommends that tasting samples not exceed 1/2 oz. of liquor.