

Advertising FAQs

Q: Can I place a dry erase board outside my business to advertise beer or wine available in my establishment? No.

- Rule 2S.1008(b)(1)(c) – Nothing in this section shall be construed to allow price advertising or additional signs advertising malt beverages and wine on the outside of premises holding a retail permit.
- Rule 2S.1008(b)(2) Billboards – Retail permittees shall not advertise malt beverages or wine products or the availability of alcoholic beverages by means of an a billboard or outdoor sign except as provided in this section must be attached to the building on the licensed premises and meet Rule 2S.1008(b)(1)(a) and (b)(1)(b) guidelines.

Q: Can my employees wear t-shirts that are given to them by wholesalers with alcohol brands on them *while working*? No.

- Rule 2S-1008(a)(7) T-shirts – A retailer’s employees shall not wear alcoholic beverage brand identified t-shirts while working on the retailer’s licensed premises.

Q: Can a beer or wine industry member make restaurant table tents for me that also advertise my specialty drinks and food items? No.

- Rule 2S-1008(a)(3) Menu and Beverage Lists – Retail on-premise malt beverage and wine permittees may place on the menu and beverage lists the brand names and prices of malt beverages and wine products offered for sale in the establishment. Menus and beverages lists may be supplied by an industry member provided the menu or beverage list is not printed with the retailer’s food menu.

Q: What is point-of-sale advertising?

- Rule 2S.1001(9) Point-of-Sale means advertising that is located inside and on the premises where the product is displayed or sold. Point-of-Sale materials do not include consumer or retailer specialty items or novelties.
- Rule 2T.0702(2) Point-of-Sale advertising shall mean advertising material such as signs, posters, banners and decoration that bears conspicuous and substantial product advertising matter, that has no secondary value to the retailer, and that is designed and intended to be used inside a retailer’s licensed premises where alcoholic beverage products are displayed and sold.

Q: Can I place a menu in my window for patrons to see, even though it lists alcoholic drinks available? Yes.

- Rule 2S. 1008(b)(1)(d) The placement in a window or on the exterior of the retailer’s building of a food menu that also contains a list of alcoholic beverages by brand and price shall not be construed as a violation of this rule.

Q: What malt beverages, wine or spirituous liquor can I display in my window to advertise?

- Rule 2S.1008(a)(5) Retail malt beverage and wine permittees may arrange a reasonable number of malt beverage or wine products in a window display.
- Rule 2S.1010(a)(6) A mixed beverage permittee shall not place liquor containers in a window display.



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Q: Can I use glasses that display the wholesaler's name at my business? Yes.

- Rule 2T.0713(a)(2) - The following things of value shall not be given, loaned or rented by any industry member to a retailer, but may be sold to the retailer at a price paid for the item by the first industry member who acquires them (2) glassware and cups – so long as the items have not been customized for a retailer with the retailer's name or logo.

Q: Can a malt beverage or wine industry member come to my business and hand out samples of their alcoholic beverage? Yes.

- Rule 2T.0712(9) – Bar Spending – An industry member may visit the premises of an on-premise retail account for the purpose of promoting its brand so long as: (a) the visit is unannounced and not advertised; and (b) a patron that refuses the industry member's offer to consume a product is offered a comparable beverage of his choice, either alcoholic or non-alcoholic.

Q: What are the rules regarding media advertising of malt beverages or wine?

- Rule 2S.1008(d) – Media Advertising – A retail malt beverage, wine or mixed beverage permittee may advertise price and brand of malt beverage and wine products offered for sale by means of circular, newspaper, magazine, radio, television and internet.

Q: Can I post a drink special on my business's Facebook, Twitter or other social media internet page?

Yes. Media Advertising rules allow for internet advertising (see previous question).

Q: Can I display a Bar-B-Que Grill in my business that is a giveaway for an industry member? Yes.

- Rule 2T. 0715(b) A industry member may provide a retailer point-of-sale advertising materials promoting a sweepstakes or contest. An industry member shall not offer or promote any sweepstakes or contest in conjunction with any retailer as a co-sponsor or as the provider of any prize. No prizes may be drawn or awarded on the premises of any retailer.

Q: Can an industry member make a large banner for me welcoming patrons to my establishment? No.

- Rule 2T.0711(6)(d) Customizing point-of-sale advertising material, novelties, glassware, consumer specialties or product displays by printing or having printed the retailer's name, slogan or logo on the item is prohibited unless otherwise specifically allowed in the rules of the Commission.

Q: We are having a special event in our town, and I will not have enough storage for the malt beverage that I wish to purchase. Can an industry member loan me or let me rent a refrigerated vehicle in order to keep the amount I will need cold? No.

- Rule 2T.0711(b) – The following services shall not be furnished, given, provided or made available to a retail permittee by an industry member, even if the retailer is charged or billed for the services for their market value (8)(A) Making refrigerated vehicles available to the retailer.