



Supplier – Retailer Guidelines

A Guide to Oregon’s Financial Assistance Laws

Introduction

This guide is a highlight of the financial assistance requirements and allowances. It is not meant to be an exhaustive explanation. Links to documents where you may find the actual statutes and rules are included later in this document.

Definitions: Supplier, Retailer, and Retail Sales Agent

- “Supplier” means:
 - Manufacturers and wholesalers of alcoholic beverages in Oregon and their respective agents
 - Any manufacturer or wholesaler of alcoholic beverages whose products are sold in Oregon
 - Any person who imports or causes to be imported an alcoholic beverage into Oregon for sale or distribution within Oregon and their respective agents
 - Brewery-Public House license. Note as per Oregon Revised Statute (ORS) 471.200, a Brewery-Public House license is both a supplier and a retailer

- “Retailer” means a holder of a valid:
 - Full On-Premises Sale license
 - Limited On-Premises Sale license
 - Off-Premises Sale license
 - Temporary Sales License (TSL)
 - Brewery-Public House license. Note as per Oregon Revised Statute (ORS) 471.200, a Brewery-Public House license is both a supplier and a retailer. This means, unless allowed by a tied house exception or a financial assistance exception, a Brewery-Public House licensee may not have any financial or ownership interest in, provide any financial assistance to, or accept any financial assistance from:
 - * Manufacturers and wholesalers of alcoholic beverages in Oregon and their respective agents
 - * Any manufacturer or wholesaler of alcoholic beverages whose products are sold in Oregon
 - * Any person who imports or causes to be imported into Oregon an alcoholic beverage for sale or distribution within Oregon and their respective agents
 - * All retailers
 - * All other Brewery-Public House licensees



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- “Retail Sales Agent” means an individual person or entity appointed by the Commission who enters into a retail sales agent agreement to sell packaged distilled spirits on behalf of the Commission in a retail liquor store.

Tied House

ORS 471.394 prohibits suppliers from having any financial or ownership interest or connection in a retailer, and prohibit a retailer from having any financial or ownership interest or connection in a supplier, unless allowed by a specific exception. This concept is known as a “tied house,” meaning suppliers and retailer cannot be “tied” to each other through financial interests or create incentives that could allow suppliers to exert undue influence on the products that retailers sell.

Financial Assistance

ORS 471.398 and 471.400 generally prohibit a supplier from giving, directly or indirectly, financial assistance to a retailer, and a retailer from accepting financial assistance from a supplier, unless allowed by an exception.

A supplier may promote its products, but cannot promote a retailer’s business or underwrite a retailer’s business expenses, unless allowed by exception.

PENALTY: Providing or accepting financial assistance is a Category III violation. Sanctions range from a 10-day suspension or civil penalty of \$1,650 for a first offense to license cancellation for a fourth offense. Both the retailer and the supplier may be subject to administrative penalties for financial assistance violations.

Statutes and Rules

Oregon Revised Statutes (ORS)

Oregon Revised Statute (ORS), Chapter 471 contains the general alcoholic beverage laws. The Oregon Secretary of State publishes an updated version every two years, typically in February of even years. Here is a link to the most current edition:

- [ORS Chapter 471](#)

Oregon Administrative Rules (OAR)

Oregon Administrative Rules (OAR) are administrative rules enacted by the OLCC and other state agencies. The rules published by the Oregon Secretary of State are typically the current version.

Each administrative rule has a Chapter, a Division, and a specific rule citation.



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For example, OAR 845-013-0020 is Chapter 845, Division 13, rule 0020.

Here are links to the rule divisions referenced in this document:

- [Division 6](#)
- [Division 7](#)
- [Division 10](#)
- [Division 13](#)
- [Division 15](#)

Introduction

OAR 845-013-0001

- ORS 471.398 and 471.400 generally prohibit suppliers from giving services or things to retailers unless allowed by exception. The purpose of the OLCC rules is to define and explain exceptions
- Suppliers may promote their products but may not promote a retailer's business or underwrite a retailer's business expenses
- Suppliers may give or loan the point of sale material (OAR 845-013-0050), items of nominal value (845-013-0060), and services of nominal value (845-013-0070) described in these rules only for the suppliers' alcoholic beverage products and to all retailers without discrimination
 - "Without discrimination" means the supplier makes all allowable point of sale material, items of nominal value, and services of nominal value available to all the supplier's retailers upon request subject to availability
 - The Commission will not consider it discrimination if a supplier gives allowable material, items or services based on the type of business or in proportion to the size of the account
- A supplier may, for a reasonable fee, sell to a retailer items, labor, or services that ORS 471.398 prohibits. As used in this section, a reasonable fee for labor or service is one that covers at least the supplier's cost; a reasonable fee for the item is at least the cost to the supplier who initially purchased or produced the item. The supplier and the retailer must keep a record of the sale.

Money, Credit, Discounts

OAR 845-013-0020, 845-013-0070

845-013-0020(1)(a)

Supplier may give credit or cash for malt beverages or wine that a retailer returns with OLCC's prior written approval, only in the following circumstances:

- Retailer terminates the business
- Retailer temporarily stops operating due to natural disaster



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- Retailer stops operation for more than 29 days
- After a Temporary Sales License (TSL) event (except when a Full On-Premises Sales licensee holds a TSL)

845-013-0020(1)(b)

Supplier may give credit for malt beverage or wine that is leaking, deteriorating, near/past shelf life, damaged container, delivered in error, or has bad labels, but only when the supplier has no saleable product available for exchange:

- The credit must be applied to the retailer’s next purchase
- If the credit is for more than one case, this requires the OLCC’s prior written approval
- The credit must be limited to the retailer’s original purchase price for the malt beverage or wine

845-013-0020(2)

Supplier may sell nonalcoholic products (not just nonalcoholic beverages) to retailers in the same manner in which non-suppliers sell them:

- The supplier may sell on credit; however, the retailer must pay in full within 45 days of the delivery date
- If the retailer does not pay within 45 days of the delivery date, the supplier has given and the retailer has accepted prohibited financial assistance. Despite this, the supplier has not given prohibited financial assistance if the supplier gives the OLCC written notice no later than the 37th day that the retailer has not paid for the product and the supplier sends a copy of the notice to the retailer

845-013-0020(3)

Supplier may not give discounts to a retailer:

- The supplier and the retailer have violated this provision if the supplier contracts with the retailer for delivery of alcoholic beverages more than ten days in the future

845-013-0020(4)

Despite subsection (3) of this rule, a supplier may sell a retailer existing vintage-dated wine for future delivery by written contract prior to winery release:

- Opportunity must be offered to all retail licensees at same general time
- Supplier keeps a copy of the contract
- Supplier keeps a record of how and to whom this opportunity was offered

845-013-0070(3)(d)(e)

Supplier may exchange alcoholic beverages for a retailer:

- Promptly exchanging alcoholic beverages delivered in error for the proper product, provided both businesses reflect the exchange in their records
- Exchanging products that are leaking, deteriorating, near or past their shelf date, have damaged or missing labels, or have damaged containers for an equal quantity of identical product, or exchanging products that have been found to contain adulterated ingredients (See also OAR 845-013-0020(1)(b)). If the amount exchanged is one case or less of malt



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beverages or if the product contains adulterated ingredients, the supplier may substitute another malt beverage product of similar value. A supplier may not exchange product that the retailer or retailer's customer damaged

Prices

OAR 845-010-0200(3), 845-010-0210

Supplier must charge the same price to all retailers (but not to other suppliers and not to consumers):

- Excluding transportation costs (must be separately itemized on invoice)
- Quantity discounts are prohibited

Supplier must maintain price lists. Price lists must show the following:

- Every brand and type of product offered
- Price for each size container
- Effective date of each price
- Allowance granted for returnable containers
- Handling fee on wine sold in less than the smallest multi-pack
- Transportation costs. (Note that a supplier may not base transportation costs on quantity)
- The supplier must show the amount of any transportation cost on the retailer’s invoice

Price list effective dates:

- A price list becomes effective on the date the supplier indicates on the list
- If supplier decreases the price, it must not increase the price for 14 days
- Whenever a supplier changes a list, it must prepare a new list
- After a price becomes effective, the supplier must sell to retailers only at that price

Substantial Gratuities

OAR 845-013-0010

Supplier may provide food and beverages to a retailer for immediate consumption at:

- Business meetings
- Conventions, where it is offered to all participants
- Sports/entertainment events when supplier attends with the retailer

Supplier may provide items at a convention

- Items must be available to all convention participants

Supplier may provide tickets and admission fees (includes green, court and lane fees)

- Only if supplier accompanies retailer to the sports or entertainment event and does not pay associated costs (e.g. travel expenses)



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Supplier may provide gifts to acknowledge a grand opening, birthday, anniversary, etc.

- Gifts may not exceed \$30 fair market value in a calendar year
- Gifts may not include cash

Supplier may provide campaigns for responsible use

- Only promoting responsible use and containing no reference to retailer
- May provide inexpensive items such as buttons and posters
- May provide a person/celebrity as part of the campaign at a licensed premises, as long as:
 - The event is not advertised
 - There is only a brief performance, if any
 - The supplier does not provide alcohol to any customers
 - The supplier provides only one promotion per year, per retailer

Advertising

OAR 845-013-0040

Suppliers may advertise their products apart from a retailer’s premises

- Advertising must only refer to the supplier’s product
- A specific retailer may not be mentioned
- Supplier may make lists of retailers that sell its products available to customers
- Retailer lists may not include prices and must include every retailer that sells supplier’s products

Suppliers may reference specific retailers subject to the following regulations:

- OAR 845-005-0428, Retail On-Premises Distilled Spirits Sampling Involving Distillery Representative
- OAR 845-006-0446, Promotional Events at a Retailer Licensed Premises Involving Suppliers
- OAR 845-006-0450, Retail On-Premises Malt Beverage, Wine, or Cider Tastings Involving Suppliers
- The advertising may list *no more than* the retailer’s name and address, the date of the event, and the name of the supplier’s product

Suppliers may not make monetary payments for advertising to retailers except under ORS 471.401 (Purchase of alcoholic liquor advertising space or time from retail licensee)

- This may be done for the following retailers:
 - Limited and Full On-Premises Sales licensees with a capacity exceeding 3,000 persons
 - Limited and Full On-Premises Sales licensees owned by the U.S. Government or a public body
 - Limited and Full On-Premises Sales licensees that are registered non-profit organizations



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- Temporary Sales Licensees that are nonprofit or charitable organizations registered as such in Oregon, a state agency, or a local government or agency or department of a local government
- Event must be held on licensee’s annually licensed premises
- Licensee must serve other brands of alcoholic beverages
- There must be a written agreement between supplier and retailer

Fixtures, Furniture & Furnishings

OAR 845-013-0030

Supplier may provide bins or display racks valued at \$300 or less

- Only one bin or rack per trade name, per retailer at any given time
- Bin or rack is permanently marked with brand name or trade name of supplier
- Retailer only uses bin or rack for named product

Schematics

OAR 845-013-0075

Schematics are proposals that recommend the placement of a supplier’s products on a retailer’s shelves.

Suppliers may use schematics only to promote their products to a retailer.

- Retailer remains responsible for deciding what products are actually sold
- Includes schematics provided by a third party

Items of Nominal Value

OAR 845-013-0060

Basic items that support supplier’s products can be provided, such as:

- **Tastings or samples of distilled spirits**
 - Only if retailer does not carry the product, and only if 50 ml or less
- **Tastings or samples of wine or malt beverages**
 - Only if retailer doesn’t already carry the brand
 - Must not exceed 1 gallon of malt beverage
 - Must not exceed 5 liters of wine
 - Sample containers must be marked “*SAMPLE – NOT FOR RESALE*”
- **For Draft Systems:**



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- Tavern Heads (one per calendar year; trade-in of tavern head at fair market value as partial payment when retailer replaces draft system), washers and Thomas valves, and new and used empty shells/bags (for returning retailer’s empty containers)

Point of Sale Materials and Consumer Take-Aways

ORAR 845-013-0050

Point of Sale Materials:

- Point of sale advertising materials are items provided by a supplier to a retailer that are to be used at a retailer’s licensed premises to attract consumer attention to the supplier’s product
- Point of sale items are not fixtures, furniture, or furnishings as prohibited by ORS 471.398(3) and ORAR 845-013-0030
- Examples of point of sale items include window decorations, posters, placards, trays, coasters, mats, menu cards, meal checks, paper napkins, foam scrapers, back bar mats, calendars, alcohol beverage lists or menus, display mirrors, table tents, chalk boards, thermometers, and similar items of like value
- All point of sale advertising materials must bear conspicuous and substantial advertising matter about the product or the supplier that is permanently inscribed or securely affixed. The name and address of the retailer may appear only point of sale advertising materials (it may not appear on consumer take-aways)
- Exterior point of sale materials:
 - Only for supplier’s alcoholic beverage product
 - Must not exceed 2160 square inches (approximately 3 ft. x 5 ft.)
 - May not be customized to retailer
- Supplier may install, clean and repair point of sale material. See ORAR 845-013-0070(3)(f)

Consumer Take-Aways:

- Consumer take-aways are items provided by a supplier to a retailer that are to be used by the retailer’s customers off the licensed premises
- The item must provide information to the retailer’s customers but the information must not promote the retailer’s business
- The items must be made of paper or other similar inexpensive material
- Examples include recipes, sports and entertainment event schedules, and informational pamphlets
- All consumer take-aways must bear conspicuous and substantial advertising matter about the product or the supplier that is permanently inscribed or securely affixed.
- The name and address of the retailer may not appear on consumer take-aways

Requirements for both point of sale materials and consumer take-aways:

- The supplier may not directly or indirectly pay or credit the retailer for using or distributing these items or for any expense incidental to their use



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- The OLCC prohibits any advertising that contains material so appealing to minors that it encourages them to purchase, possess, or drink alcoholic beverages. See OAR 845-007-0020(1)(e)
- Items that predominantly advertise the supplier’s alcoholic beverage products but also advertise a generic food product are allowed, subject to OAR 845-013-0050(3)(d)
- Items that predominantly advertise the supplier’s alcoholic beverage products but also have generic words or symbols for activities the supplier wants to associate with his/her alcoholic beverage products with are allowed. Exterior material may, however, have only generic symbols relating to activities, not words
- Alcoholic beverage lists: Despite OAR 845-013-0001(3)(b)(A) that limits items of nominal value to the supplier’s products, the list may include any malt beverage, wine or distilled spirit the retailer sells. Despite 845-013-0001(3)(d) that prohibits customization, the supplier may add generic food references to the list.
 - For example, the list may indicate that a particular alcoholic beverage goes well with chicken but may not refer to a chicken dish on the retailer’s menu

Services of Nominal Value

OAR 845-013-0070

Supplier may provide basic services that support products on draft, such as:

- Inspecting equipment for sanitation and quality control
- Performing emergency repairs on draft equipment
- Instructing retailers how to care for draft and cooling systems
- Tapping kegs during regular delivery calls

Supplier may provide basic marketing support services, such as:

- Delivering to a designated place on the retailer’s premises
 - Only for supplier’s alcoholic beverage products
- Moving product to a nearby store
 - Only when a store closes, and only for supplier’s alcoholic beverage products
 - ***Retailers may not move product between stores*
- Rearranging/replenishing product
 - Only supplier’s own product
- Pricing own brands
 - This means adding the price to the alcoholic beverage product or to the shelf, *not* setting the price of the alcohol
 - No repricing is allowed
- Promptly exchanging product delivered in error
 - Both supplier and retailer must keep a record of transaction



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- Exchanging product that is leaking, deteriorating, near/past shelf date, has damaged or missing labels, or damaged containers
 - The exchange must be for an equal quantity of identical product
 - Product must not have been damaged by the retailer or the retailer’s customer
- Providing assistance with promotional events as allowed by 845-006-0446 and conducting tastings as allowed by OAR 845-005-0428 and 845-006-0450 (see later in the guide)

Payment by Retailer to Supplier

ORS 471.485

- A retailer must pay a supplier for malt beverages, wine, or cider either:
 - By electronic fund transfer initiated on or before the date of delivery; or
 - By valid check, order, negotiable instrument, or voucher on the date of delivery
- Payment by credit and debit card is not allowed
- Despite this requirement, a supplier may accept cash at the time of delivery if such acceptance does not create or increase the licensee’s, or the agents’ or employees’ of the licensee, exposure to or risk of being victimized by criminal activity

Supplier-Provided Items & Services to a Nonprofit, Charitable, Political Committee, Agency of the State, or Local Government with a Temporary Sales License (either a TSL-NP Type 1 or a TSL-NP Type 2) or OLCC-Approved Exempt Event

OAR 845-013-0090

For an applicant/licensee who is:

- A nonprofit or charitable organization registered as such in Oregon with either:
 - A Temporary Sales License-Nonprofit (TSL-NP) Type 1; or
 - An OLCC-approved exempt event
- A state agency, local government, or an agency or department of a local government with a Temporary Sales License-Nonprofit (TSL-NP) Type 1
- A political committee that has filed a statement of organization under ORS 260.039 or 260.042 with a Temporary Sales License-Nonprofit (TSL-NP) Type 2

A supplier may give, sell, or discount the following to the applicant/licensee:

- Any product the supplier normally sells



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- Credit or cash for returned product
- Services that support the beverage
- Banners for interior/exterior display that advertise the special event - no size limitation
- Picnic pumps, cold plates, tubs, refrigerated trailers, refrigerated bans, and refrigerated draft systems for the event not to exceed 14 days or for a period that is reasonable for the equipment to be set up at or removed from the site of the special event
- Supplier may provide employees to sell or serve at the approved event
 - Employee must have a valid service permit or have successfully complete an approved alcohol server education course within the last five years

Supplier-Provided Items & Services to For-Profit with a Temporary Sales License (TSL-FP), Temporary Use of an Annual License (TUAL), or Special Event Brewery Public House (SEBPH)

OAR 845-013-0080

For an applicant/licensee who:

- Is not a nonprofit or charitable organization registered as such in Oregon, has a Temporary Sales License For-Profit (TSL-FP), and the event is not on a licensee’s annually licensed premises
- Is a Full or Limited On-Premises Sales licensee, has a Temporary Use of an Annual License (TUAL), and the event is not on a licensee’s annually licensed premises
- Is a Brewery-Public House licensee, has a Special Event Brewery Public House License (SEBPH), and the event is not on a licensee’s annually licensed premises

A supplier may:

- Provide only the items and services allowed under OAR Chapter 845, Division 13 rules.
- Despite this requirement, a supplier may:
 - Provide advertising of a temporary special event that lists the name and location of the event along with the name of the supplier’s product; however, payment must be paid directly to the third party provider, not the retailer
 - Provide picnic pumps, cold plates, tubs, refrigerated trailers, refrigerated bans, and refrigerated draft systems for the event not to exceed 14 days or for a period that is reasonable for the equipment to be set up at or removed from the site of the special event
- Note that alcoholic beverages must be sold to the applicant/licensee at posted wholesale prices and may not exclude other suppliers’ products

Private Labels for Wine or Malt Beverages



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OAR 845-010-0206

Supplier and Retailer may enter into an agreement for a private label wine or malt beverage product

- Retailer must pay all costs for the development and production of the label
- Out-of-State manufacturer must sell through an independent wholesaler
- Product may not be a new malt beverage or wine. (Note that a private label for distilled liquor is not allowed)
- Private label product must be identical to supplier’s existing product
- Identical product must be reasonably available to other retailers
- Supplier must sell product for at least wholesale cost
- Commission must approve the private label and the private label agreement

Additional Information

- No supplier may buy food, beverages or anything of value on a retailer’s premises for customers who are not his/her personal acquaintances. (OAR 845-013-0110)
- No promotional activities for alcohol may be conducted on any college or university campus. (OAR 845-006-0349)
- Rebate coupons for distilled spirits are prohibited except for purchases at liquor stores. (OAR 845-015-0165, -0175 and -0177)

Guidelines for Malt Beverage, Wine, and Cider Tastings At a Business with a Full-On Premises, Limited On-Premises, or Off-Premises Sales License

OAR 845-006-0450

Manufacturers: For the purposes of this rule, manufacturers are defined as Winery, Brewery, Brewery Public House, Grower Sales Privilege, Warehouse licensees and Certificate of Approval (CERA) holders (but only for the product for which they hold the certificate). Holders of Wholesale Malt Beverage and Wine (WMBW) licenses may not conduct tastings on a retail premises unless doing so on behalf of a CERA holder.

Manufacturers may conduct tastings of malt beverages, wine, and cider at retail locations under the following conditions:

License: Manufacturers do not need a special or temporary license to conduct a tasting as allowed under this rule.



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- Alcohol:** Manufacturers must provide the samples and must remove any leftover alcohol at the end of the tasting.
- Size of samples:** No more than 1.5 ounces for wine or cider and 3 ounces for malt beverages.
- Servers:** Must have service permits. Manufacturers must provide or pay for the servers who must be the manufacturer’s employees or agents. Manufacturers may not pay or compensate any employee or agent of the retailer to participate in the tasting.
- Number:** No more than 12 days per calendar year at each retail premises for the purposes of tastings.
- Advertising:** Manufacturers may advertise the tasting as allowed in OAR 845-013-0040. This means the advertising may only reference the retailer’s name and address, the date of the event, and the name of the supplier’s product. Retailers may advertise the tasting.
- Records:** Manufacturers must keep records of each tasting they conduct, including the date, location, products served, and names of servers.

Note: OAR 845-006-0450(7) allows full on-premises, limited on-premises, and off-premises retail licensees to conduct their own tastings of alcohol beverages; however, the retail licensee may not accept any assistance from a manufacturer.

Guidelines for Distilled Spirits Tastings At a Business with a Full-On Premises Sales license OAR 845-005-0428

Full On-Premises Sales licensees may allow a distillery to participate in distilled spirits sample tasting events for the retailer’s customers under the following conditions:

- License:** Event must be sponsored by the Full On-Premises Sales licensee and must be held on its annually-licensed premises.
- Alcohol:** Distillery products must be approved for sale in Oregon. Distillery must provide the sample tastings of approved distilled spirits and remove any remaining product at the end of the tasting.
- Size of samples:** Samples are limited to one-half (0.5) ounce of distilled spirits per container. No more than two and one-half (2.5) ounces to each customer per day. The



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spirits may be mixed with nonalcoholic beverages; however, the total amount of liquid per container cannot exceed two (2) ounces.

Servers: Server must have a valid Oregon Alcohol Service Permit. Distillery must pay for person to serve the tasting. The person serving may not be an employee of the retail licensee. Server may provide education to patrons and staff.

Number: Eight sample tasting events are allowed per year, per retail premises.

Advertising: Distillery may advertise the tasting as allowed by OAR 845-013-0040. This means the advertising may only reference the retailer’s name and address, the date of the event, and the name of the supplier’s product. Retailer may advertise the tasting.

Assistance: Distillery must not compensate the licensee in order to participate in the tasting event. Except for serving the sample tastings, the distillery must not be involved with the sale or service of alcoholic beverages or any other service normally provided by the retailer on the licensed premises.

Records: The retailer must keep a record of each tasting event it holds for one year from the date the tasting was held. Records must include the date and location of each event, the products served, and the names of servers.

Guidelines for Promotional Events

At a Business with a Full-On Premises, Limited On-Premises, or Brewery-Public House License

OAR 845-006-0446

Suppliers: For the purposes of this rule, suppliers are defined as Winery, Grower Sales Privilege, Brewery, Brewery-Public House, Warehouse, and Distillery licensees and Certificate of Approval (CERA) holders (but only for the product for which they hold the certificate). Holders of WMBW licenses may not participate in a promotional event unless doing so on behalf of a CERA holder.

Retail licensees may allow a supplier to participate in promotional events under the following conditions:

License: Event must be sponsored by a retailer at its licensed premises. Examples of events include winemaker dinners, food and alcohol pairings, and product releases. Retailer is responsible for all alcohol sale and service at the event. Retailer must meet OLCC food service standards.



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- Alcohol:** Retailer must purchase alcoholic beverages from a retail sales agent of the Commission (for distilled spirits) or from a supplier authorized to sell alcohol directly to retail licensees (for malt beverages, wine, or cider). Alcohol may not be donated or discounted to retailer.
- Servers:** Server must have a valid Oregon Alcohol Service Permit. Supplier may provide staff to serve alcoholic beverages for the products it represents
- Number:** A supplier may be in each retail premises no more than 12 days per calendar year for the purpose of a promotional event.
- Advertising:** Retailer may advertise the event. Supplier may advertise the event as allowed by OAR 845-013-0040. This means the advertising may only reference the retailer’s name and address, the date of the event, and the name of the supplier’s product.
- Assistance:** Supplier may provide education to patrons and staff for products it represents. Supplier may not compensate retailer or any employee or agent of the retailer to participate in an event.
- Records:** The retailer must keep a record of each event it sponsors for one year from the date of the event. Records must include the date and location of each event, the products served, and the names of suppliers.

Coupon Guidelines

What is a “Coupon” or “Rebate Coupon?”

845-007-0010(3)

- "Coupon" or "rebate coupon" means any coupon, ticket, certificate token or any other material that a person may use to obtain a price reduction or rebate in connection with alcoholic beverages. This definition applies whether the coupon requires a purchase or not

When a Supplier Offers a Coupon in Conjunction with a Retailer

845-007-0015(3) and (5)

- Suppliers may give consumer rebate coupons



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- The rebate coupon may be only for malt beverages, wine, or cider and only for consumption off the premises (no coupons for on-premises consumption)
- Progressive-type coupons which provide a larger rebate when progressively more alcohol is purchased are permitted. An example of this would be a rebate that offers \$5 for the purchase of one six-pack/bottle or \$12 for two six-packs/bottles.
- Cross promotional coupons which provide a discount or rebate on food, nonalcoholic beverages, or non-food items (with or without the purchase of malt beverages, wine, or cider) are permitted. An example of this would be \$1.00 off tortilla chips with the purchase of a six-pack of malt beverages
- All advertising associated with rebate coupons must comply with applicable state and federal regulations
- The supplier must furnish rebate coupons to all licensees carrying the product for off-premises consumption
- The supplier is responsible for the redemption of rebate coupons
- No retail licensee may receive any money or similar benefit from a supplier for the redemption of any coupons
- Coupons must be redeemable only by mail (this includes email). Despite this requirement, a manufacturer of malt beverages, wine, or cider with an OLCC-issued license may offer instantly redeemable coupons for malt beverages, wine, or cider sold at retail to consumers for consumption off the premises (no coupons for on-premises consumption) under the manufacturer’s retail privileges
- Coupons must bear an expiration date
- The supplier must require proof of purchase
- Coupons must be valid only for adults of legal drinking age

When a Supplier Offers a Coupon in Conjunction with a Retail Sales Agent

845-015-0165

- Suppliers may give consumer rebate coupons to retail liquor stores
- The rebate coupon may be only for distilled spirits and only for consumption off the premises (no coupons for on-premises consumption)
- Progressive-type coupons which provide a larger rebate when progressively more alcohol is purchased are permitted. An example of this would be a rebate that offers \$5 for the purchase of one bottle or \$12 for two bottles.
- Suppliers will distribute distilled spirits rebate coupons only through retail liquor stores or by publishing them in newspapers or magazines. Any newspaper or magazine advertising associated with rebate coupons must comply with OAR 845-015- 0175, 845-015-0177, and any other applicable state and federal regulations
- All rebate coupons offered in the State of Oregon must meet the following requirements:
 - Rebate coupons must be redeemable only by mail (this includes email)
 - Rebate coupon offers must bear an expiration date



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- The supplier must require proof of purchase
- Rebate coupons must be valid only for adults of legal drinking age
- The supplier must furnish rebate coupons to all retail liquor stores carrying the product. Any advertising materials such as posters, signs, banners, or display racks the supplier provides to promote rebate coupons in a retail liquor store must comply with OAR 845-015-0175, 845-015-0177, and any other applicable state and federal regulations
- The supplier is responsible for the redemption of rebate coupons. The supplier and the retail customer are responsible for settling any disagreement about the supplier's coupon.

When a Retailer Offers a Coupon

845-007-0015(6)

- Retailers may issue coupons on malt beverage, wine, cider, and distilled liquor and for consumption both on and off the premises
- The retailer must bear all costs associated with the redemption of the coupon and receive no payment from any supplier.
- Examples of retailer issued coupons could include:
 - Rain checks issued by a retailer that allow a customer to get the advertised price of an alcoholic beverage product when a product is temporarily out of stock
 - Coupons or certificates that provide a discount on meals, including alcohol, to be consumed at a licensed premises
 - Coupons that provide a discount on any products the retailer, sells such as 10% off of a bill of \$50 or more
 - Customer loyalty programs such as club cards or frequent customer discount cards.
- Retailer issued coupons may be instantly redeemable or mail-in.
- The retail licensee must pay for all discounts on alcoholic beverages provided under retailer issued coupons.

For more information

If you have questions regarding any of the information in this guide, please email:

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