For your information

The Oregon Liquor Control Commission has:

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OAR 845-013-0040

Effective: April 1, 2016

Note: **Bold and underlined** = new text; *strikethrough and italics* = deleted text

845-013-0040

Advertising, ORS 471.398(4)

ORS 471.398(4) allows a manufacturer or wholesaler to provide advertising to a retailer.

(1) Except as authorized in this rule under section (2) of this rule, the only advertising a supplier (manufacturer or wholesaler), or its agents, may provide under ORS 471.398(4) this statute is generic, off-premises references to the supplier's manufacturer or wholesaler's alcoholic beverage products that mention no specific retailer. Some examples include radio and television commercials and billboards.

(2) A supplier, or its agents, may make available to its customers, either on the supplier's website or on lists available at the supplier's premises, the names and addresses of the retail licensees that sell products made or distributed by the supplier. Any such list must include all retailers who carry the products without discrimination, for example, an alphabetical or geographical list. The lists may not include prices or any other information that would appear to promote any particular retailer over other retailers.

(3) A supplier may provide or pay for advertising pursuant to OAR 845-013-0080.

(4) A supplier may provide or pay for advertising pursuant to OAR 845-005-0428, 845-006-0446, and 845-006-0450. Some examples include radio, television, billboards, and its own website. Only the following advertising is allowed:

(a) 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.

(b) No monetary payments may be made by a supplier to a retail licensee except for payments to purchase advertising allowed under ORS 471.401(1)(d).
(5) A violation of any section of this rule is a Category III violation.

Stat. Auth.: ORS 471, including 471.030, 471.730(1) & (5)
Stats. Implemented: ORS 471.398(4) & 471.730(7)
Hist.: OLCC 8-1987, f. 31-3-87, ef. 4-1-87; OLCC 7-1992, f. & cert. ef. 7-1-92;
Renumbered from 845-010-0124; OLCC 8-2010, f. 6-22-10, cert. ef. 7-1-10

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