



News Release

Oregon Liquor Control Commission
9079 SE McLoughlin Blvd., Portland, OR 97222-7355
1-800-452-6522

For more information:

Bryant Haley, Alcohol Program Spokesperson

Bryant.haley@oregon.gov 971-990-3254 (mobile)

www.oregon.gov/olcc

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Commission provides flexibility for outdoor alcohol service Approves geographic specific wine labeling rules Foreshadows 2021 Liquor Store Expansion Commissioners discuss pending Cocktails-to-go Legislation

PORTLAND, OR. – At its **regular monthly meeting on December 17, 2020**, the Oregon Liquor Control Commission permanently adopted rules to give alcohol licensees flexibility in the use of temporary outdoor areas where alcohol is served, and also approved rules for the labeling of specific American Viticultural Areas (AVAs) in Oregon. Commissioners also discussed the expansion of new liquor Store opportunities in Oregon and the possibility of cocktails-to-go legislation passing through the Oregon Legislature at the recently announced December 21st Special Session. The Commission also approved two alcohol licensee stipulated settlement agreements.

This past summer, in an effort to simplify and streamline [rules](#), the Commissioners approved temporary rule changes to enable licensees to expand the area of their bars and restaurants (licensed premises) to outdoor areas without prior approval from the OLCC, as long as they meet specific requirements. These rules provide flexibility by giving licensees permission to use an expanded outdoor licensed premises part-time, even if it's licensed for year round use. An example would be an unprotected outdoor restaurant patio in a cold-weather climate area closing during wintertime, but re-opening during spring or summer; the licensee could just re-open without having to contact the OLCC. Licensees still need to have permission from the private or public property owner to use the outdoor portion of the expanded premises not under permanent ownership or control of the licensee.

The Commissioners also took action designed to further reinforce the origin reputation of Oregon wines by approving permanent rules regarding the labeling of AVAs. These rules assign the responsibility of complying with state and federal labeling regulations to wine producers, and also requires any label that contains the name of an AVA located wholly or partially within the Willamette Valley AVA to list the Willamette Valley in addition to the nested AVA. Consumers will be able to more clearly identify where the grapes originated from with the Willamette Valley. The new labeling requirements are the culmination of collaboration within the wine industry as a result of grape growers and winemakers finding common ground after factional disagreements surfaced during 2018.

OLCC's Retail Services division announced plans to restart the statewide expansion of retail liquor stores in 2021. Expansion plans were placed on hold earlier in 2020 due to the COVID-19 pandemic. Since 2015 when the expansion program began, the OLCC has appointed 36 additional retail liquor agents across Oregon. The objective remains on locating stores in areas where Oregon's population has experienced

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growth, in order to provide convenience for consumers. The Portland Metro area will be the focus for expansion next year.

The Commissioners also discussed the recently announced 3rd special session of the Oregon Legislature that was announced this past week. The legislature will be meeting Monday December 21, 2020, to consider legislation that would allow Full-On Premises licensees to sell cocktails-to-go. This effort is intended to provide economic relief to the hospitality industry that has faced significant operational challenges due to the COVID-19 pandemic. The Commission is poised to implement the legislation by enacting an emergency temporary rule for regulating cocktails-to-go. If the legislation is approved the Commission plans to hold a special meeting next week to act on the temporary rule. Already OLCC staff are working on contingency plans and creating guidance for licensees and consumers about how cocktails-to-go will work in Oregon.

Additionally, Commissioners ratified the following stipulated settlement agreements:

DS Mart (O) in Veneta, failed to verify the age of a minor before allowing her to buy or be served an alcoholic beverage when she reasonably appeared to be under 26 years of age. The Licensee accepts a responsibility and has agreed to a settlement. Licensee will either pay a \$1,485.00 civil penalty before 5:00 PM on January 15, 2021, **OR** serve a nine-day suspension beginning at 7:00 AM on January 22, 2021 and ending at 7:00 AM on January 31, 2021.

Licensee is DS Market, Inc.; Jatinder Kaur, President/Treasurer/Director/Stockholder; Taj Kalkat, Vice President/Secretary/Director/Stockholder.

4TH & OAK MARKET (O) in Portland, has a restricted license and violated those restrictions by selling and/or offering for sale malt beverages containing more than 6% alcohol by volume (ABV) and wine containing more than 13.8% ABV. The Licensee accepts a responsibility and has agreed to a settlement. Licensee will serve a 32-day suspension beginning at 7:00 AM on January 22, 2021 and ending at 7:00 AM on February 23, 2021 **OR** pay a \$4,950.00 civil penalty **AND** serve a mandatory 2-day suspension from January 22, 2021 to January 24, 2021.

Licensee is J-Lamp, LLC; Nan Soon Lee, Managing Member.

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A copy of the Stipulated Settlement Agreements for Alcohol Violation Cases can be found on the [OLCC website](#), on the Laws & Rules page under the [Final Orders](#) section.