



News Release

Oregon Liquor Control Commission
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OLCC Commissioners Make Retail Appointment, Ratify Stipulated Alcohol Violations, Take Action on Rules

Commissioners also heard presentations from industry, staff

PORTLAND, OR. – At its monthly meeting December 19, 2019, the Commissioners of the Oregon Liquor Control Commission appointed the following incoming retail liquor store agent at a traditional retail liquor location. The store is pre-existing:

Salem Downtown, #1231 – Adam Dobrowolski

Retail liquor agents are private, independent contractors; they are not state employees. The Retail Services Division of the OLCC works closely with liquor agents to help them understand and follow liquor regulations and store operating procedures.

Commissioners heard invited testimony from industry:

Report from Oregon Beer and Wine Distributors Association – Danelle Romain, Mike Freese
Report from Oregon Wine Association – Tom Danowski and Bertony Faustin

Initial and Final action, as well as discussion, was taken on rules:

Initial action taken on:

Prohibited conduct. Amend 845-006-0345 to prohibit the mixing of alcoholic beverages and CBD products at retail liquor licenses for on-premises consumption, due to safety concerns identified by the FDA.

Final action taken on:

2019 Bottle Bill and Technical Package. During the 2019 Oregon Legislative session, the Oregon Legislature made changes to the Oregon Bottle Bill provisions of Chapter 845. This rule package addresses both the changes made during legislative session and technical issues that have arisen during the management of the bottle bill program.

Alcohol Bill and Technical Package Amend Divisions 5, 6, and 10. During the 2019 Oregon Legislative session, the Oregon Legislature made changes to the alcohol provisions of Chapter 845. This rule

package addresses both the changes made during legislative session and technical issues that have arisen during the management of the regulated alcohol industry.

The following alcohol violation fines and suspensions were ratified by Commissioners based on stipulated settlement:

Super Mercado La Guelaguetza, 18895 SW Tualatin Valley Highway, Aloha will pay a \$1,485 civil penalty or serve a 9-day suspension for licensee failing to verify the age of a minor before allowing him to buy or to be served an alcoholic beverage when he reasonably appeared to be under 26 years of age. Staff added two days of aggravation because the licensee personally committed the violation. Licensee is Super Mercado la Guelaguetza, LLC; America Marquez, Managing Member; Teresita Castillo Sanchez, Alejandro Cortes Romero and Susano Castillo, Members.

Holocene, 1001 SE Morrison St, Portland, will pay a \$1,155 civil penalty or serve a 7-day suspension for licensee's employee, agent or representative failed to evict patrons from the premises for at least 24 hours who were known to have engaged in noisy, disorderly or unlawful activities, when premises general manager observed a verbal altercation between premises security and a group of patrons refusing to submit to a search/pat down and failed to evict those patrons and/or refuse entry but permitted them to enter the premises without security checks. Staff added two days of aggravation because the violation involved more than one person. Licensee is Holocene, Inc.; Jarkko Cain, Managing Member; Scott McLean, Member.

Buddha Kat Winery/Wasson Brothers, 52023 Columbia River Highway, Scappoose will pay a \$4,950 civil penalty AND serve a ten day suspension for co-licensee or co-licensee's employees, agents or representatives sold or offered for sale alcoholic beverages in a manner other than the license permitted when they sold or offered for sale alcoholic beverages at a location (Seaside Farmers Market) other than the licensed premises without a special event winery license for the location. Additionally, co-licensees' employee, agent or representative failed to verify the age of a minor before allowing her to buy or to be served an alcoholic beverage when she reasonably appeared to be under 26 years of age. Co-licensees are Buddha Kat Winery, LLC and Bella Organics Farm, LLC; Lorie Dilley, Managing Member; Benjamin Schlattman, Member; Mike Hashem, Managing Member; Elizabeth Hashem, Member.

Ma Mosa, 118 NW E Street, Grants Pass will pay a \$2,640 civil penalty or serve a 16-day suspension for licensee's employee, agent or representative drinking alcoholic beverages while on duty, when he consumed alcoholic beverage(s) during his work shift that involved the mixing, sale or service of alcoholic beverages, which ended at 3:45 pm. Additionally, from about July 3, 2017 to about March 23, 2019, licensee permitted its employee, agent or representative to mix, sell or serve alcoholic beverages, or supervise those who do, without a valid service permit issued by the Commission. Staff added two days of aggravation to the second violation because the employee worked without a service permit for more than six months. Licensee is Ma Mosa's, LLC; Jodi Haines, Managing Member.

Gabriel O'Driscoll, Permittee consumed alcoholic beverages on or about March 9, 2019 while on duty during his work shift that involved the mixing, sale or service of alcoholic beverages, which ended at 3:45 pm. Additionally, on or about March 9, 2019 permittee mixed, dispensed or served alcoholic beverage(s) to himself for on premises consumption when he sampled distilled spirits with a straw and mixed, dispensed and served vodka and/or other alcoholic beverages to himself for on-premises consumption. Staff added two days of aggravation because the second violation was intentional. Permittee accepts responsibility for the violation, and will pay a \$400 civil penalty or serve a 16-day suspension.

Blue Bird Tavern, 8734 N Lombard, Portland, has sold the business and will therefore surrender their Full-On Premises sales license and will accept a letter of reprimand for licensee and/or licensee's employees, agents, servants or representatives failing to follow an approved enforceable compliance plan when on or about Sept. 21, 2018, from 9:00 pm to closing on Friday and Saturday nights, licensee failed to have at least one DPSST-certified security guard on duty to monitor patron activity inside and outside the premises when licensee's employee worked as a private security guard on the premises without having valid DPSST-certification. Additionally, on or about March 23, 2019, licensee and or/licensee's employees, agents, servants or representatives failed to follow an approved enforceable compliance plan when from 9:00 pm to closing on Friday and Saturday nights, licensee failed to have at least one DPSST-certified security guard on duty to monitor patron activity inside and outside the premises when licensee's employee worked as a private security guard on the premises without having valid DPSST-certification. Licensee is Blue Bird Tavern, Inc.; Timothy Jorgensen, President/Director/Stockholder; Janet Jorgensen, Vice President/Secretary/Director/Stockholder.

Howie's On Front, Inc., 16 N Front Street, Medford has begun the process of selling the business and will surrender its Full On-Premises Sales and Off-Premises Sales licenses and accept a Letter of Reprimand for a history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either the premises or licensed premises or involving patrons of the establishment in the immediate vicinity of the premises; Licensee or Licensee's employee, agent, or representatives permitted disorderly activity on the licensed premises or in areas Licensee controls that are adjacent to or outside the premises when he fought with a patron; Licensee or Licensee's employees, agents or representatives permitted the dispensing, pouring or otherwise serving of alcoholic beverages directly into a person's mouth with a syringe-like device. Licensee is Howie's on Front, Inc.; David Hawkins, President/Director/Stockholder; Debra Hawkins, Secretary/Director.

Gino's Café and Sports Bar, 147 E Main St., Klamath Falls, will pay a \$1,485 civil penalty or serve a nine-day suspension for licensee permitting its employee, agent, servant or representative to mix, sell or serve alcoholic beverages, or supervise those who do, without a valid service permit issued by the Commission. Licensee is 19AD4, LLC; Angelo and Frances Dearborn, Managing Members; Pete Belcastro, Member; Luther Dearborn, Member.

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