

RETAILER TO RETAILER PRODUCT TRANSFERS

Laws and Rules

Retail liquor licenses are issued to specific applicants seeking to sell beer and/or wine in specific locations. A retail licensee may not allow another person to use the license, or use the license to sell beer and/or wine in another location.

Retail licensees may not sell or deliver beer and wine to other retail licensees. This prohibition applies regardless of whether there is common ownership of the retail licensees.

A state law specifies that, except in limited circumstances, it is “unlawful for any retail beer or wine licensee to purchase beer or wine, except from a duly licensed distributor, domestic winery, domestic brewer, certificate of approval holder with a direct shipment endorsement, or the [liquor control] board.” RCW 66.28.070; WAC 314-13-010.

Another state law specifies that beer and wine must be delivered by the distributor either to the retailer's licensed premises or directly to the retailer at the distributor's licensed premises. RCW 66.28.180(2)(h)(ii).

Brief History

- 1937 Legislature passes law requiring beer retailers to purchase beer only from licensed wholesalers. Laws of 1937, Chapter 217.
- 1944 Board adopts rule prohibiting wine retailers from purchasing wine except from state liquor stores and licensed domestic wholesalers and wineries.
- 1987 Legislature adds provision allowing beer retailers to purchase beer from government agencies that have lawfully seized beer from beer retailers, from “board-authorized” retailers, and from retailers that have discontinued business if wholesalers refused to accept the beer for return and refund. Laws of 1987, Chapter 205.
- 1994 Legislature adds provision allowing wine retailers to purchase wine from similar sources (e.g., government agencies that have lawfully seized wine from wine retailers). Laws of 1994, Chapter 201.
- 1995 Legislature adds subsection requiring that beer and wine be delivered by the distributor either to the retailer's licensed premises or directly to the retailer at the distributor's licensed premises. Laws of 1995, Chapter 232.

Prepared For: Joint Select Committee on Beer and Wine Regulation
Work Session on September 9, 2008

Prepared By: Jill Reinmuth, Office of Program Research