



Date: March 3, 2009

To: All LCLB staff
All Industry Associations
All Local Government, First Nations, and Police Agencies

Re: Amendment to regulation to allow off premises sales at brew pubs

The Liquor Control and Licensing Regulation has allowed the general manager to endorse a liquor primary or a liquor primary club licence for off premises sales if an application for endorsement had been received before June 5, 2000 or if the establishment was at least 30 kilometers from another licensed liquor outlet. In practice the effect of these rules has been that few new off premises endorsement could be issued after that date.

Although brew pubs have been able to apply for an on-site retail store appointment within the brewery part of the business, in many cases the layout of the brewery is not designed for the presence of retail customers. To respond to this concern, the Liquor Control and Licensing Regulation has been amended to allow brew pubs (a liquor primary establishment associated with a brewery on the same site and with the same ownership) which do not already have an off premises sales endorsement to apply for an endorsement to their liquor primary licence to permit off premises sales of the brewery's products which are manufactured on the premises.

An off premises sales endorsement will permit off premises sales only from the main service bar area of the liquor primary establishment. Off premises sales are allowed only during the hours of liquor service specified on the licence up to 11 p.m. Sales allowed with this endorsement are restricted to the brewery products manufactured on the premises.

The licensee may package (i.e. fill containers with) the brewery's products for off premises sales in the brewery or in the liquor primary establishment. In either case, all off premises products are treated as packaged liquor products. The brew pub must decide what sizes to offer its product in and obtain from the Liquor Distribution Branch registration and product codes for each size of container for each type of product it intends to offer for off premises sales.

The brew pub may allow customers to bring back empty containers which were previously purchased to have them refilled at the bar. The sale would be reported to LDB as a sale from the liquor primary establishment using the applicable product code for that size of container.

Brew pubs which already have an endorsement for off premises sales do not need to

apply for this endorsement since they already have authority to sell any of their products, including packaged beer, wine and cider products from any manufacturer as well as the brewery's own products, off premises.

This policy applies only to liquor primary establishments which are part of a brew pub establishment. A liquor primary with an off premises sales endorsement not attached to a brew-pub establishment may sell any of its products off premises but only in the original containers which were purchased from the Liquor Distribution Branch – you could not, for example, fill containers from a large keg for off premises consumption.

How to apply for the endorsement

To apply for this endorsement you should complete the Application for a Permanent Change to a Liquor Licence (form LCLB012 – available on the Branch website), requesting a change in terms and conditions. You must include a letter of intent describing your request and pay the appropriate application fee. Send the completed form with the applicable fee to LCLB Head Office in Victoria. As the off premises sales endorsement must be renewed each year at the time of your liquor primary licence annual renewal, there is a pro-rated licence fee that will be required prior to final approval for the remaining period of your current licence.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at www.hsd.gov.bc.ca/lclb. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1 866 209 2111 or 250 387 1254 if calling from the Victoria area.

For further information about product registration and product codes, contact the Liquor Distribution Branch at 604 252 3213.



Karen Ayers
General Manager