



## Passport Event Guidelines

### 1. What is a “Passport Event”?

These events are essentially marketing activities that may be conducted by wineries, breweries, or distilleries (“manufacturer licensees”) through a third party (typically a local or regional winegrower association, or brewers or distillers guild, but could be a for-profit marketing agent) in which consumers purchase access to various manufacturer licensee-based experiences that include a taste of wine, beer, or distilled spirits at participating manufacturer licensees. Such events may involve the purchase by consumers, from the association, guild or marketing agent (or their designee) coordinating the marketing event, of an identifiable event glass, a wristband, a map of participating manufacturer licensees, or a “passport” or “punch card” identifying participating manufacturer licensees. “Passport events” are commonly held during a designated weekend, or may entitle the consumer to visit participating manufacturer licensees over a specified period of time, that could be quite extended (for example, the Department is aware of some “passports” that are valid for a single taste at designated manufacturer licensee any time during a two-year period).

### 2. Does the marketing organization coordinating the event need to obtain a “one-day” license from ABC?

ABC has determined that no license is required by the marketing organization under the following circumstances:

- i. The organization is merely marketing an event that is actually put on by the participating manufacturer licensees (whether this be individually or collectively through a trade association of which they are members);
- ii. The organization is selling only access to experiences or activities that the manufacturer licensee may lawfully provide free of charge to consumers;
- iii. The manufacturer licensees involved are doing no more than providing tastes of wine, beer or distilled spirits to participating consumers under the authority of their license, which allows such manufacturer licensees to give or sell such tastes; and
- iv. There is no commingling of funds or sharing of revenue—that is, while individual manufacturer licensees may sell entry to the event to consumers acting as the agent for the marketing organization for such purpose, all proceeds must go to the organization; likewise, if a manufacturer licensee sells alcoholic beverages to consumers separate and apart from the tastes given during the marketing event,

none of the revenue may be shared with the marketing organization (or any other person).

In addition, because the giving to consumers of tastes of beer, wine, or distilled spirits, as authorized by the manufacturer's license, is a privilege of such license, the participating manufacturer licensees do not need any additional or special license(s) themselves.

3. What if the event is done differently than this?

Then a license may be required by the marketing organization, which must be eligible to hold a license.

4. Can 17/20's participate in these events without the organization having to get a license?

No. Since Type-17/20 licenses do not authorize tastings of any alcoholic beverages to consumers, whether with or without charge, any passport-type event involving such licensees may only be conducted pursuant to a license. In such situations, the marketing organization must be eligible to hold a license and would be required to obtain an appropriate license, and must actually control the licensed venue and conduct the event itself. Type-17/20 licensees may assist the marketing organization obtaining the license in conducting the event as otherwise authorized by the ABC Act.