

## Class A (freestanding) and Class B (mixed retail) sampling event details

Sampling event requests must be submitted for approval at least 5 business days prior to the sampling event.

Class A or Class B retail liquor outlets must submit a sampling event request via the web ordering <https://portal.wvabca.com> under “Sampling Event Request” and will be required to provide: the retail liquor outlet store number and physical address; the date and time of the event; and the specific brands and flavors being sampled.

*If a retail liquor outlet owner, manager, or employee need access to the portal, please fill out the “Create Account” at <https://portal.wvabca.com> for review by the WVABCA Spirits Department.*

There are two options for conducting sampling events:

- Option 1. The retail liquor outlet may conduct the sampling event by buying the liquor from its inventory at retail cost plus applicable markup, taxes and fees, and the retail liquor outlet must use its employees to conduct the sampling subject to the requirements as outlined in W. Va. Code 60-3A-3a;
- Option 2. A licensed broker’s representative (rep), with representative POS or promotions request approval, may provide the liquor for a sampling event provided it has been purchased at the retail liquor outlet hosting the event and at retail cost plus applicable markup, taxes, and fees. The Commissioner reserves the right to request copies of receipts showing the purchase of the liquor. Any rep that participates in purchasing sealed bottles of liquor for licensees must make this same or equivalent sampling opportunity available to any Class A retail licensee or Class B retail licensee upon request by the licensee. **A rep may NOT purchase liquor bottles at the retail liquor outlet conducting the approved sampling event and then leave, the rep MUST conduct the sampling if they are purchasing the liquor to be sampled.** Note, a rep may not re-use a liquor bottle at any other sampling event other than the sampling event the liquor is purchased for per W. Va. Code 60-3A-3a

Server Requirements:

- Servers must verify that each person sampling is at least 21 years of age;
- Servers may not serve any person who is under the age of 21 or who is intoxicated;
- When conducting a sampling under Option 1, servers at the event must be employees of the Class A or Class B retail licensee;
- When conducting a sampling event under Option 2, the servers at the event must be licensed broker’s representative(s).

Sample limitations and guidelines:

- Sampling events must occur within the retail licensees restricted area on the licensed premises and end at or before 9:00 p.m.;
- During the event, samples may include up to 4 separate and individual servings not to exceed a total of 2 ounces of liquor;
- Samples may be mixed with each other or with non-alcoholic liquors or ice so long as the total amount of the liquor sampled does not exceed 2 ounces;
- **Liquor bottles used for sampling must be purchased from the inventory of the WV retail liquor outlet hosting the sampling event and clearly labeled “SAMPLE NOT FOR RESALE”;**
- **If the seal is broken on any liquor bottle, then the bottle must be removed from the licensed premises immediately following the sampling event.**