

243.0307 Sampling license -- Sampling and sale of alcoholic beverages on premises of licensed retailer.

- (1) A sampling license may be issued to the holder of:
 - (a) A quota retail drink license;
 - (b) A quota retail package license;
 - (c) An NQ1 license;
 - (d) An NQ2 license; or
 - (e) A distiller's license.
- (2) A sampling license shall authorize the licensee to allow customers to sample, free of charge, distilled spirits and wine under the following conditions:
 - (a) Sampling shall be permitted only on licensed premises and by licensees holding a sampling license, during regular business hours;
 - (b) A distillery shall provide samples as authorized by KRS 243.0305; and
 - (c) All other licensees shall limit a customer to:
 1. One (1) ounce of distilled spirits samples per day; and
 2. Six (6) ounces of wine samples per day.
- (3) Retailers holding a sampling license shall:
 - (a) Notify the Department of Alcoholic Beverage Control at least seven (7) days in advance of conducting a free sampling event; and
 - (b) Limit a sampling event to a period not to exceed four (4) consecutive hours between 12 noon and 8 p.m.
- (4) In addition to free sampling, a quota retail package licensee holding a sampling license may also sell sample distilled spirits and wine under the following conditions:
 - (a) Paid samples may be sold only on licensed premises and by licensees holding a sampling license, during regular business hours; and
 - (b) A licensee shall limit a customer to purchased samples totaling no more than:
 1. Two (2) ounces of distilled spirits per day; and
 2. Nine (9) ounces of wine per day.
- (5) A quota retail package licensee holding both a sampling license and a nonquota retail malt beverage package license may also sell samples of malt beverages under the following conditions:
 - (a) Paid samples may be sold only on licensed premises and by licensees holding a sampling license, during regular business hours;
 - (b) A licensee shall limit a customer to no more than sixteen (16) ounces of malt beverages per day;
 - (c) Nothing in this subsection shall allow a quota retail package licensee to provide a customer samples of malt beverages free of charge;
 - (d) The retail price of a sample shall not be less than a licensee's purchase cost of the sample; and

- (e) A licensee, supplier, or individual shall not request, require, or allow a distributor to provide malt beverages free of charge or participate in any activity allowed under this subsection.
- (6) No customer shall be allowed to receive a combination of free and purchased samples totaling more than:
 - (a) Two (2) ounces of distilled spirits per day; and
 - (b) Nine (9) ounces of wine per day.
- (7) Free and paid samples provided under this section shall not constitute drink sales.

Effective: June 29, 2017

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