



Senate

General Assembly

File No. 176

February Session, 2004

Substitute Senate Bill No. 137

Senate, March 23, 2004

The Committee on General Law reported through SEN. COLAPIETRO of the 31st Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CASE PRICING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (6) of section 30-1 of the general statutes, as
2 amended by section 4 of public act 03-235 and section 146 of public act
3 03-6 of the June 30 special session, is repealed and the following is
4 substituted in lieu thereof (*Effective from passage*):

5 (6) (A) "Case price" means the price of a container of cardboard,
6 wood or other material, containing units of the same size, brand, age
7 and proof of alcoholic liquor, [and] (B) a case of alcoholic liquor, other
8 than beer, cordials, cocktails, wines and prepared mixed drinks, shall
9 be in the number and quantity of units or bottles as follows: Three
10 gallon bottles; four gallon bottles; six half-gallon bottles; twelve quart
11 bottles or twelve liter bottles; twelve one-fifth gallon bottles or twelve
12 seven hundred fifty milliliter bottles; twenty-four pint bottles; twenty-
13 four one-tenth gallon bottles or six and four-tenths ounce bottles or
14 twenty-four three hundred seventy-five milliliter bottles or forty-eight

15 one hundred eighty-seven and one-half milliliter bottles; ninety-six one
16 hundred milliliter bottles; forty-eight half-pint bottles, or two hundred
17 forty-one and one-half ounce, one and six-tenths ounce and two ounce
18 bottles or ninety-six ninety-three and seven-tenths milliliter bottles or
19 one hundred ninety-two forty-six and eight-tenths milliliter bottles,
20 and (C) a case of wine shall not exceed a total quantity of one hundred
21 thirty-five liters.

22 Sec. 2. Subdivision (6) of section 30-1 of the general statutes, as
23 amended by section 4 of public act 03-235, section 146 of public act 03-6
24 of the June 30 special session and section 1 of this act, is repealed and
25 the following is substituted in lieu thereof (*Effective one year from the*
26 *effective date of section 1 of this act*):

27 (6) (A) "Case price" means the price of a container of cardboard,
28 wood or other material, containing units of the same size, brand, age
29 and proof of alcoholic liquor, and (B) a case of alcoholic liquor, other
30 than beer, cordials, cocktails, wines and prepared mixed drinks, shall
31 be in the number and quantity of units or bottles as follows: Three
32 gallon bottles; four gallon bottles; six half-gallon bottles; twelve quart
33 bottles or twelve liter bottles; twelve one-fifth gallon bottles or twelve
34 seven hundred fifty milliliter bottles; twenty-four pint bottles; twenty-
35 four one-tenth gallon bottles or six and four-tenths ounce bottles or
36 twenty-four three hundred seventy-five milliliter bottles or forty-eight
37 one hundred eighty-seven and one-half milliliter bottles; ninety-six one
38 hundred milliliter bottles; forty-eight half-pint bottles, or two hundred
39 forty-one and one-half ounce, one and six-tenths ounce and two ounce
40 bottles or ninety-six ninety-three and seven-tenths milliliter bottles, [,
41 one hundred ninety-two forty-six and eight-tenths milliliter bottles,],
42 and (C) a case of wine shall not exceed a total quantity of one hundred
43 thirty-five liters.]

44 Sec. 3. (*Effective from passage*) On or before July 1, 2005, the
45 Commissioner of Consumer Protection shall report, in accordance with
46 section 11-4a of the general statutes, said commissioner's findings and
47 recommendations on the effects of allowing quantity discounts and

48 allowing a case of wine to be not greater than one hundred thirty-five
 49 liters, as specified in subdivision (6) of section 30-1 of the general
 50 statutes, as amended by this act, to the joint standing committee of the
 51 General Assembly having cognizance of matters relating to liquor
 52 control.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>one year from the effective date of section 1 of this act</i>
Sec. 3	<i>from passage</i>

GL *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Consumer Protection, Dept.	GF - Cost	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill limits a case of wine to 135 liters. This limitation is to be in place for one year. The average case of wine is about 12 liters; however large package stores are able to occasionally purchase "jumbo cases" of wine from wholesalers that consist of 180 1.5 liter bottles (270 liters). Currently, the Department of Consumer Protection requires wholesalers to post their case and bottle prices and adhere to the previous month's prices. Although the bottle and case prices may change, the bill does not have any fiscal impact on the Department of Consumer Protection.

OLR Bill Analysis

sSB 137

AN ACT CONCERNING CASE PRICING**SUMMARY:**

For one year, this bill limits the size of a case of wine to 135 liters. By law, wholesalers must post their case and bottle prices with the Department of Agriculture and Consumer Protection (DACP) and adhere to the posted prices for the following month.

The bill requires the commissioner to report to the General Law Committee by July 1, 2005, his findings and recommendations on (1) the effects of allowing volume discounts and (2) limiting the size of a case of wine to 135 liters.

EFFECTIVE DATE: Upon passage

BACKGROUND***Case Size and Price***

The law requires each liquor manufacturer, wholesaler, and out-of-state shipper to post its bottle and case prices with DACP each month. Once a price is posted, it is the controlling price for the following month. The law prohibits manufacturers, wholesalers, and out-of-state shippers from discriminating in their price discounts offered to liquor permit holders and from offering discounts, rebates, free goods, allowances, or other inducements to buy.

It prohibits retailers selling for off-premises consumption from selling below cost, defined as the bottle price plus shipping and delivery charges paid by the retailer. It defines "bottle price" as the price per unit of a case. This is calculated by dividing the case price by the number of bottles in the case and adding an amount (from two to eight cents per bottle) that depends on the size of the bottle.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 17 Nay 2