



# House of Representatives

General Assembly

**File No. 182**

February Session, 2006

House Bill No. 5666

*House of Representatives, March 28, 2006*

The Committee on General Law reported through REP. STONE, C. of the 9th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT MODIFYING BEER PACKAGING FOR CONSUMPTION ON AND OFF PREMISES.***

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

1 Section 1. Section 30-63 of the 2006 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2006*):

4 (a) No holder of any manufacturer, wholesaler or out-of-state  
5 shipper's permit shall ship, transport or deliver within this state, or sell  
6 or offer for sale, any alcoholic liquors unless the name of the brand,  
7 trade name or other distinctive characteristic by which such alcoholic  
8 liquors are bought and sold, the name and address of the manufacturer  
9 thereof and the name and address of each wholesaler permittee who is  
10 authorized by the manufacturer or his authorized representative to sell  
11 such alcoholic liquors are registered with the Department of Consumer  
12 Protection and until such brand, trade name or other distinctive  
13 characteristic has been approved by the department. Such registration  
14 shall be valid for a period of three years. The fee for such registration,

15 or renewal thereof, shall be one hundred dollars for out-of-state  
16 shippers and three dollars for Connecticut manufacturers for each  
17 brand so registered, payable by the manufacturer or his authorized  
18 representative when such liquors are manufactured in the United  
19 States and by the importer or his authorized representative when such  
20 liquors are imported into the United States. The department shall not  
21 approve the brand registration of any fortified wine, as defined in  
22 section 12-433, which is labeled, packaged or canned so as to appear to  
23 be a wine or liquor cooler, as defined in section 12-433.

24 (b) No manufacturer, wholesaler or out-of-state shipper permittee  
25 shall discriminate in any manner in price discounts between one  
26 permittee and another on sales or purchases of alcoholic liquors  
27 bearing the same brand or trade name and of like age, size and quality,  
28 nor shall such manufacturer, wholesaler or out-of-state shipper  
29 permittee allow in any form any discount, rebate, free goods,  
30 allowance or other inducement for the purpose of making sales or  
31 purchases. Nothing in this subsection shall be construed to prohibit  
32 beer manufacturers, wholesalers or out-of-state shipper permittees  
33 from differentiating the manner in which their products are packaged  
34 on the basis of on-site or off-site consumption.

35 (c) For alcoholic liquor other than beer, each manufacturer,  
36 wholesaler and out-of-state shipper permittee shall post with the  
37 department, on a monthly basis, the bottle, can and case price of any  
38 brand of goods offered for sale in Connecticut, which price when so  
39 posted shall be the controlling price for such manufacturer, wholesaler  
40 or out-of-state permittee for the month following such posting. For  
41 beer, each manufacturer, wholesaler and out-of-state shipper permittee  
42 shall post with the department, on a monthly basis, the bottle, can and  
43 case price, and the price per keg or barrel or fractional unit thereof for  
44 any brand of goods offered for sale in Connecticut which price when  
45 so posted shall be the controlling price for such brand of goods offered  
46 for sale in this state for the month following such posting. Such  
47 manufacturer, wholesaler and out-of-state shipper permittee may also  
48 post additional prices for such bottle, can, case, keg or barrel or

49 fractional unit thereof for a specified portion of the following month  
50 which prices when so posted shall be the controlling prices for such  
51 bottle, can, case, keg or barrel or fractional unit thereof for such  
52 specified portion of the following month. Notice of all manufacturer,  
53 wholesaler and out-of-state shipper permittee prices shall be given to  
54 permittee purchasers by direct mail or advertising in a trade  
55 publication having circulation among the retail permittees except a  
56 wholesaler permittee may give such notice by hand delivery. Price  
57 postings with the department setting forth wholesale prices to retailers  
58 shall be available for inspection during regular business hours at the  
59 offices of the department by manufacturers and wholesalers until three  
60 o'clock p.m. of the first business day after the last day for posting  
61 prices. A manufacturer or wholesaler may amend his posted price for  
62 any month to meet a lower price posted by another manufacturer or  
63 wholesaler with respect to alcoholic liquor bearing the same brand or  
64 trade name and of like age, vintage, quality and unit container size;  
65 provided that any such amended price posting shall be filed before  
66 three o'clock p.m. of the fourth business day after the last day for  
67 posting prices; and provided further such amended posting shall not  
68 set forth prices lower than those being met. Any manufacturer or  
69 wholesaler posting an amended price shall, at the time of posting,  
70 identify in writing the specific posting being met. All wholesaler  
71 postings for the following month shall be provided to retail permittees  
72 not later than the twelfth day of the month prior to such posting.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	30-63

**GL**      *Joint Favorable*

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:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

This bill allows manufacturers, wholesalers or out-of-state shipper permittees to differentiate the manner in which their products are packaged on the basis of on-site or off-site consumption. There is no fiscal impact.

***The Out Years***

There is no fiscal impact in the out years.

**OLR Bill Analysis**  
**HB 5666**

***AN ACT MODIFYING BEER PACKAGING FOR CONSUMPTION ON  
AND OFF PREMISES.***

**SUMMARY:**

The law prohibits manufacturers and wholesalers of alcoholic beverages from discriminating in anyway in the price discounts they offer their customers on products of the same brand, age, size, and quality. This bill provides that this prohibition must not be construed to prohibit beer manufacturers and wholesalers from changing how they package their products based on whether their customer holds a permit to sell for off-premises or on-premises consumption.

EFFECTIVE DATE: October 1, 2006

**COMMITTEE ACTION**

General Law Committee

Joint Favorable

Yea 14    Nay 1    (03/14/2006)