



General Assembly

**Amendment**

February Session, 2006

LCO No. 4786

\*HB0566604786HDO\*

Offered by:

REP. STONE, 9<sup>th</sup> Dist.

REP. GREENE, 105<sup>th</sup> Dist.

To: House Bill No. 5666

File No. 182

Cal. No. 144

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 30-63 of the 2006 supplement to the general  
4 statutes, as amended by house bill 5183 and house bill 5667 of the  
5 current session, is repealed and the following is substituted in lieu  
6 thereof (*Effective from passage*):

7 (a) No holder of any manufacturer, wholesaler or out-of-state  
8 shipper's permit shall ship, transport or deliver within this state, or sell  
9 or offer for sale, any alcoholic liquors unless the name of the brand,  
10 trade name or other distinctive characteristic by which such alcoholic  
11 liquors are bought and sold, the name and address of the manufacturer  
12 thereof and the name and address of each wholesaler permittee who is  
13 authorized by the manufacturer or his authorized representative to sell  
14 such alcoholic liquors are registered with the Department of Consumer

15 Protection and until such brand, trade name or other distinctive  
16 characteristic has been approved by the department. Such registration  
17 shall be valid for a period of three years. The fee for such registration,  
18 or renewal thereof, shall be one hundred dollars for out-of-state  
19 shippers and three dollars for Connecticut manufacturers for each  
20 brand so registered, payable by the manufacturer or such  
21 manufacturer's authorized representative when such liquors are  
22 manufactured in the United States and by the importer or such  
23 importer's authorized representative when such liquors are imported  
24 into the United States. The department shall not approve the brand  
25 registration of any fortified wine, as defined in section 12-433, which is  
26 labeled, packaged or canned so as to appear to be a wine or liquor  
27 cooler, as defined in section 12-433.

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

39 (c) For alcoholic liquor other than beer, each manufacturer,  
40 wholesaler and out-of-state shipper permittee shall post with the  
41 department, on a monthly basis, the bottle, can and case price of any  
42 brand of goods offered for sale in Connecticut, which price when so  
43 posted shall be the controlling price for such manufacturer, wholesaler  
44 or out-of-state permittee for the month following such posting. On and  
45 after July 1, 2005, for beer, each manufacturer, wholesaler and out-of-  
46 state shipper permittee shall post with the department, on a monthly  
47 basis, the bottle, can and case price, and the price per keg or barrel or  
48 fractional unit thereof for any brand of goods offered for sale in

49 Connecticut which price when so posted shall be the controlling price  
50 for such brand of goods offered for sale in this state for the month  
51 following such posting. Such manufacturer, wholesaler and out-of-  
52 state shipper permittee may also post additional prices for such bottle,  
53 can, case, keg or barrel or fractional unit thereof for a specified portion  
54 of the following month which prices when so posted shall be the  
55 controlling prices for such bottle, can, case, keg or barrel or fractional  
56 unit thereof for such specified portion of the following month. Notice  
57 of all manufacturer, wholesaler and out-of-state shipper permittee  
58 prices shall be given to permittee purchasers by direct mail, Internet  
59 web site or advertising in a trade publication having circulation among  
60 the retail permittees except a wholesaler permittee may give such  
61 notice by hand delivery. Price postings with the department setting  
62 forth wholesale prices to retailers shall be available for inspection  
63 during regular business hours at the offices of the department by  
64 manufacturers and wholesalers until three o'clock p.m. of the first  
65 business day after the last day for posting prices. A manufacturer or  
66 wholesaler may amend such manufacturer's or wholesaler's posted  
67 price for any month to meet a lower price posted by another  
68 manufacturer or wholesaler with respect to alcoholic liquor bearing the  
69 same brand or trade name and of like age, vintage, quality and unit  
70 container size; provided that any such amended price posting shall be  
71 filed before three o'clock p.m. of the fourth business day after the last  
72 day for posting prices; and provided further such amended posting  
73 shall not set forth prices lower than those being met. Any  
74 manufacturer or wholesaler posting an amended price shall, at the  
75 time of posting, identify in writing the specific posting being met. On  
76 and after July 1, 2005, all wholesaler postings other than for beer for  
77 the following month shall be provided to retail permittees not later  
78 than the twenty-seventh day of the month prior to such posting. All  
79 wholesaler postings for beer shall be provided to retail permittees not  
80 later than the twentieth day of the month prior to such posting."

This act shall take effect as follows and shall amend the following sections:

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Section 1	<i>from passage</i>	30-63
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