

1 and sell alcoholic beverages in refrigerated coolers and common practice for such
2 refrigerated coolers to bear substantial advertising matter; and

3 WHEREAS, the legislature recognizes no threat to public safety or wellbeing for
4 branded refrigerated coolers to be furnished by liquor manufacturers to retail dealers
5 alongside other currently permitted equipment and product displays.

6 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
7 direct the Department of Revenue, office of alcohol and tobacco control, to amend
8 administrative rules Title 55, Part VII, Chapter 3, Section 317(C)(2)(a)(ii) and (b)(iii) of the
9 Louisiana Administrative Code to read as follows:

10 §317. Prohibition of Certain Unfair Business Practices

11 * * *

12 C. Marketing and Sale of Alcoholic Beverages in Louisiana

13 * * *

14 2. Exceptions

15 a. Equipment

16 * * *

17 ii.(aa) Accessories such as carbon dioxide gas tanks, regulators, and other
18 draught equipment accessories with a reasonable open market price of more than \$5
19 but less than \$200 per item must be sold to retailers at a price no less than the cost
20 to the industry member as defined herein. Such sales shall be made for cash only.

21 **(bb) Refrigerated coolers which serve only as a temperature-controlled**
22 **product display for spirituous liquor and which have a reasonable open market**
23 **price of less than \$155 and which bear advertising of a spirituous liquor product**
24 **that is conspicuous, substantial, and permanently inscribed or securely affixed**
25 **may be given, loaned, or sold to retailers at a price no less than the cost to the**
26 **industry member as defined herein.**

27 * * *

28 b. Inside Signs

29 * * *

30 iii. Product displays may be furnished by an industry member to a retailer,

1 provided that the total value of all product displays furnished by an industry member
 2 may not exceed \$155 per brand in use at any one time in any one retail
 3 establishment. Product display are racks, bins, barrels, casks, shelving, **refrigerated**
 4 **coolers**, and the like from which alcoholic beverages are displayed or sold. Product
 5 displays shall bear conspicuous and substantial advertising matter.

6 * * *

7 BE IT FURTHER RESOLVED that the commissioner of the office of alcohol and
 8 tobacco control is hereby directed to allow refrigerated coolers along with other equipment
 9 and displays as provided for in LAC 55:VII.317(C)(2)(a)(ii) and (b)(iii) on the effective date
 10 of this Resolution.

11 BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted
 12 to the Department of Revenue, office of alcohol and tobacco control.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Jerry J. Guillot.

	DIGEST	
SCR 31 Original	2021 Regular Session	Henry

Directs the Department of Revenue, office of alcohol and tobacco control, to:

- (1) Change the exception to the rule regarding the prohibition of certain unfair business practices as it relates to marketing and sale of alcoholic beverages in La. to include refrigerated coolers which serve only as a temperature-controlled product display for spirituous liquor and which have a reasonable open market price of less than \$155 and which bear advertising of a spirituous liquor product that is conspicuous, substantial, and permanently inscribed or securely affixed.
- (2) Provide that the refrigerated coolers may be given, loaned, or sold to retailers at a price no less than the cost to the provider.
- (3) Describe product displays that may be furnished by an industry member to a retailer to include refrigerated coolers.

Directs the commissioner of the ATC to allow refrigerated coolers along with other equipment and displays on the effective date of this Resolution.