**Section 100.285 Tastings, Product Samplings and Test Marketing**

a) "Product Sampling" or "tastings" mean a supervised presentation of alcoholic liquor products to the public at a retailer location for the purpose of disseminating product information and education, with consumption of alcoholic liquor products being an incidental part of the presentation.

b) Alcoholic liquor product sampling and tastings may be conducted by a manufacturer, non-resident dealer, foreign importer, importing distributor, distributor or retailer or a non-licensee, that complies with Section 100.40 and registers as a tasting representative at retail licensed premises. Only alcoholic liquor products registered with the Commission may be tasted or sampled. Tastings and product sampling may be advertised. The conditions and limitations contained in Section 100.330 and Commission rules shall apply to any manufacturer, non-resident dealer, foreign importer, importing distributor or distributor sponsored tastings or product samplings.

c) Retail premise alcoholic liquor tastings and product samplings, for which there is no charge to the consumer, may be provided in the following amounts: distilled spirits ¼ oz., wine 1 oz. and beer 2 oz.

d) A licensee may not conduct alcoholic liquor tastings or product sampling at a non-licensed premise. Licensed premises include those premises for which a Special Use or Special Event License has been issued by the unit of local government having regulatory authority over the premises pursuant to the Act and approved by the Commission.

e) Cups, napkins, glassware, coasters and trays shall not be deemed to be inside signs or advertising materials and may only be sold to retailers by a manufacturer, non-resident dealer, foreign importer, importing distributor or distributor.

f) If a retailer previously purchased the alcoholic liquor product to be tasted or sampled, a manufacturer, non-resident dealer, foreign importer, importing distributor or distributor may pay for the product at the retailer's original cost. If the manufacturer, non-resident dealer, foreign importer, importing distributor or distributor supplies the alcoholic liquor product for the tasting or sampling, the product remaining after the tasting or sampling must be returned to the manufacturer, non-resident dealer, foreign importer, importing distributor or distributor.

g) Alcoholic liquor product samplings or tastings in which the consumer pays a reasonable entrance fee in relation to the amount of alcoholic liquor available for tasting or sampling is permitted, subject to the following conditions and limitations:

1) The retailer must charge a uniform admission price and is prohibited from treating patrons differently.

2) The retailer must use tickets, punch cards or other such reliable means of tracking the amount of alcoholic liquor purchased and consumed by each attendee.

3) Retailer's legal responsibility duties, including, but not limited to, prohibitions against serving alcohol to persons under age 21 and to any intoxicated person, remain unchanged with tasting or product sampling events.

4) The retailer must hold an on-premise consumption license issued by both the local governmental unit and the State. However, the license or permit may be a special use or special event license.

h) "Test Marketing" means the testing of new alcoholic liquor products or alcoholic liquor products unfamiliar to the sampler through a marketing firm, or the like. The Commission will grant approval for the test marketing of alcoholic liquor on a case-by-case basis, only upon written request. Requests shall state with specificity the parameters of the testing and shall include, at a minimum, the following information:

1) The name and address of the marketing firm conducting the test marketing.

2) The location where the test marketing will be conducted.

3) The number of participants involved.

4) Representation that the age of the participants is 21 years or older.

5) The duration of the test marketing.

6) The total amount of alcoholic liquor involved in the test marketing and the total amount of alcoholic liquor to be given or furnished to each participant.

(Source: Added at 39 Ill. Reg. 4433, effective March 12, 2015)