

POLICY ON USE OF 3RD PARTY PROMOTIONAL COMPANIES TO CONDUCT PRODUCT SAMPLINGS

It is hereby the policy of The Office of Alcohol and Tobacco Control (“ATC”) that an industry member may use a third-party promotional company to conduct product samplings in Louisiana in accordance with Subsection C of Title 55 Part VII Chapter 3 Section 317 of the Louisiana Administrative Code (hereinafter “LA Trade Practice Regulations”) under the following conditions:

1. The industry member has a written contractual agreement with the third party promotional company which clearly defines the scope of the activities to be conducted by the promotional company on behalf of the industry member within the state of Louisiana. Said contractual agreement shall be provided to ATC prior to any representation by the third party promotional company on behalf of the licensed industry member.
2. Violations of Louisiana Alcoholic Beverage Control laws or regulations by a third-party promotional company or any of their representatives shall be considered the industry members act for purposes of penalties or suspension or revocation of the industry member’s permit.
3. The third party promotional company shall not be owned, created, operated, inappropriately influenced, or controlled by an alcoholic beverage dealer licensed by the state of Louisiana or any person or entity holding an interest therein.
4. The industry member or third party promotional company shall not give the retail dealer anything of value.
5. The name and permit number of the industry member and the name of the third party promotional company shall be provided on any documents required to be submitted to ATC (ex. Notice to Conduct Sampling).
6. Industry members shall ensure that agents of the third party promotional company possess a valid Louisiana Responsible Vendor certification prior to conducting samplings of alcoholic beverage(s) on the industry member’s behalf.
7. The third party promotional company shall not offer for sale or solicit any orders for the sale of any regulated beverage produced or supplied by the industry member.