

Bobby Jindal  
Governor



Cynthia Bridges  
Secretary

Troy Hebert  
Commissioner

## State of Louisiana Department of Revenue

December 21, 2011

### **Events and Unlicensed Venues**

The Office of Alcohol and Tobacco Control ("ATC") has been asked to interpret how LAC 55:VII.317 affects the participation by upper-tier industry members in events held at unlicensed venues. As such, ATC has instated the following policy:

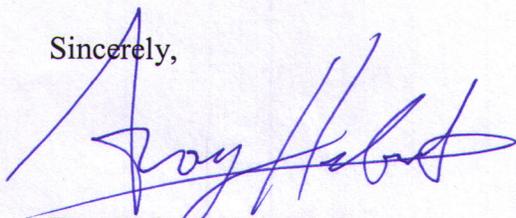
#### Events and Unlicensed Venues:

The provisions of LAC 55:VII.317 *Regulation IX – Prohibition of Certain Unfair Business Practices* sub-sections A through C shall not be interpreted or applied to prohibit a manufacturer, wholesaler or retailer from purchasing, displaying and/or transmitting indoor or outdoor signs or other advertising and marketing products from the owner, operator, promoter, or lessee of an event or venue conducting events, and such conduct shall not constitute a violation of these regulations so long as the retail dealer of alcoholic beverages is licensed as a caterer and the following applies:

1. The caterer is engaged to provide food and beverage concession services pursuant to a written agreement with the owner, operator, promoter, or lessee of the event or venue;
2. The caterer receives no monetary benefit, directly or indirectly, by any scheme or device or in any form or degree from the manufacturer, wholesaler or retailer in connection with the provision or purchase of signs or advertising or marketing products from the owner, operator, promoter, or lessee of the event or venue. The provision of indoor or outdoor signs and the use of the proceeds of a manufacturer's, wholesaler's or retailer's purchase of indoor or outdoor signs or other advertising and marketing products from the owner, operator, promoter, or lessee of an event or venue conducting events to enhance or otherwise benefit the event or venue conducting events shall not be construed to be a direct or indirect monetary benefit to the caterer or any retail dealer located on or around the premises of the event or venue;

3. The caterer is not owned, in whole or in part, by the owner, operator, promoter, or lessee of the event or venue, or a subsidiary, agent, manager, or company managing the event or venue that is a direct recipient of such monetary benefit as defined in subpart (2) above; and
4. The owner, operator, promoter, or lessee of the event or venue shall not directly or indirectly control or otherwise influence the quantity or brand of alcoholic beverages bought or sold by the caterer unless the caterer is owned, in whole or in part, by the owner of a venue that is not the direct recipient of such monetary benefit, as defined in subpart (2) above.

Sincerely,



Troy Hebert, Commissioner  
Louisiana Office of Alcohol & Tobacco Control