

Department Public Safety
Liquor Control Act

**Information for Liquor Licensees pertaining to the Minimum Retail
Selling Price for Liquor Products**

**LIN: 0503
October 2002**

This notice is intended to provide information pertaining to changes under the Liquor Control Act and Regulations. The statements in this notice should be understood as the way the department interprets the legal requirements and obligations in the Act and Regulations. In all cases, the legislation should be reviewed to determine the proper application.

Introduction

Changes to the *Act* and Regulations, described in the following, list the lowest price for which liquor can be sold. These new minimum price restrictions respond to public concerns over pricing practices which could lead to over consumption by patrons. The minimum pricing initiative is directed at discouraging such practices.

It should be noted that these are only minimum prices and they do not restrict higher prices.

Minimum Retail Selling Price

Effective April 9, 1999, all liquor, spirits, wine, and beer sold by licensees in liquor establishments will have to be sold according to the following listings.

The following four product types list the minimum selling price per ounce / metric unit for liquor sold by licensees. This minimum price includes HST.

Product I	Draught Beer (D)
Price / Ounce	\$0.11 /oz
Price / 29.57 ml	\$0.11 /29.57ml
Average Serving Size	\$0.99 /9oz /266ml
Product II	Bottled Beer (B)
Price / Ounce	\$0.125 /oz
Price / 29.57ml	\$0.125 /29.57ml
Average Serving Size	\$1.50 /12oz / 355ml
Product III	Wine (W)
Price / Ounce	\$0.375 /oz
Price / 29.57ml	\$0.375 /29.57ml
Average Serving Size	\$1.50 / 4oz / 118ml
Product IV	Spirits/Liqueurs (S/L)
Price / Ounce	\$1.50 /oz
Price / 29.57ml	\$1.50 /29.57ml
Average Serving Size	\$1.50 /1oz /29.57ml

Product Price List Index

The NBLC Licensee Product Price List index has been categorized according to product group. Example: canned beer falls under product price group II - B, rye falls under IV S/L.

Alcohol	IV - S/L	Ports	III - W
Aperitifs	III - W	Red Table Wines	III - W
Beers	II - B	Rose Table Wines	III - W
Beers (draught)	I - D	Rums	IV - S/L
Brandies	IV - S/L	Sake	II - W
Champagnes	III - W	Sherries	III - W
Cocktails	IV - S/L	Sparkling Wines	III - W
Cognacs	IV - S/L	Tequilas	IV - S/L
Coolers (Spirits)	II - B	Vermouths	III - W
Coolers (Wine)	II - B	Vodkas	IV - S/L
Dessert Wines	III - W	Whiskies	IV - S/L
Gins	IV - S/L	White Table Wines	III - W
Liqueurs	IV - S/L		

The NBLC Licensee Product Price List should be used to identify which product category is to be used for the minimum price of a particular brand.

Liquor Sold as Part of a Package or Service

Where liquor is included in a promotion package with food and/or services, the total charge of the package cannot be lower than the total allowable minimum price per ounce of the liquor component.

Where liquor is sold as part of a service, cover charge or entry fee, the total charge for these, cannot be less than the total allowable minimum price per ounce of the liquor component.

Any advertising of the above-mentioned promotions cannot state a price lower than the allowable minimum price.

Please note that licensees and employees are prohibited from offering liquor below minimum price.

Effective October 1, 2002 licensees may offer to a patron during the daily regulated hours of liquor service (9h00 to 2h30 or 6h00 to 2h30) a maximum of one of the following:

- ▶ 12-ounce (355 ml) draft, bottle of beer or cooler,
- ▶ a 4-ounce (118 ml) glass of wine or
- ▶ a 1-ounce (29.57 ml) of spirit or liqueur.

Please note that public advertising of the above is strictly prohibited. The licensee is not permitted to use this privilege for promotional purposes. This offer can only be used as a courtesy drink not an inducement. Non-compliance of this regulation is subject to a fine.

Liquor Portions in Drinks

Where drinks include liquor portions that are less than one ounce, the price should be prorated.

Example: Martini
1 ounce of Gin (\$1.50) plus
half ounce of Vermouth (\$.19)
The minimum price is (\$1.69)

Penalties

A licensee who violates the provisions of the Liquor Control Act or Regulations may be levied a fine or have his or her licence revoked. Department of Public Safety Compliance Officers will visit locations to ensure compliance with legislation.

There are two fines in relation to minimum prices.

1. Licensee selling or offering liquor below the allowable minimum price

- ▶ 1st offence: \$1,000
- ▶ 2nd offence: \$2,000

Licensee providing more than the regulated liquor amounts

- ▶ 1st offence: \$1,000
- ▶ 2nd offence: \$2,000

Inquiries

For further information, please contact:

Department of Public Safety
Compliance and Regulatory Services
P. O. Box 6000
Fredericton, NB
E3B 5H1
Telephone: (506) 453-7472
Fax: (506) 453-3044