

House Research Act Summary

CHAPTER: 232

SESSION: 2002 Regular Session

TOPIC: Beer keg registration

Date: March 13, 2002

Analyst: John Williams, 651-296-5045

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

This bill requires all beer kegs sold by off-sale retailers to have an identification tag. Retailers would be required to record the tag number, along with the buyer's identification, at the time of sale. It prohibits anyone other than a wholesaler, retailer, peace officer, or department of public safety employee from removing the tag, and prohibits anyone from intentionally defacing or damaging the tag.

- 1. Sale of beer kegs.** Requires beer kegs to be identified and recorded before being sold by off-sale retailers.

Subdivision 1. Definitions. Defines "beer keg" as a brewery-sealed container holding at least seven gallons of beer. Defines "off-sale retailer" to include licensees and municipal liquor stores.

Subd. 2. Standards. Sets standards for labels and tags required to be attached to beer kegs under subdivision 3. Requires the labels or tags to consist of paper, plastic, metal, or other durable material not easily damaged or destroyed. Allows labels to contain a nonpermanent adhesive material allowing it to be applied directly onto the keg at the time of sale. Requires tags to be attached with nylon ties or cording, wire ties, or other metal attachment device, or other durable means of tying or attaching the tag to the keg. Requires tags to include the retailer's name, address, telephone number, and a unique number assigned by the retailer, and a notice to the effect that intentionally removing or defacing the tag is illegal.

Makes retailers, on return of a keg, responsible for removal of the entire label or tag and any adhesive or attachment devices. Requires retailers to keep the label on file for at least 90 days from the date of return.

Subd. 3. Identification required. Prohibits an off-sale retailer from selling a beer keg unless it has an identification label or tag attached to it.

Subd. 4. Records. Requires an off-sale retailer who sells a beer keg to record:

 - (1) the buyer's identification,

- (2) the date and time of the purchase,
- (3) the keg identification number, and
- (4) the buyer's signature.

Requires the record to be kept by the retailer for at least 90 days after the date of the last sale recorded in it.

Subd. 5. Access to records. Requires off-sale retailers to make their keg sale records available for inspection by a peace officer or a department of public safety agent.

Subd. 6. Violations. Prohibits a person required to record keg sales in a book or register from knowingly making a materially false entry. Allows a defense of reasonable reliance on proof of age.

Prohibits anyone other than a wholesaler, retailer, peace officer, or public safety department employee from intentionally removing identification tags. Prohibits anyone from intentionally defacing or damaging a tag to make it unreadable.