



# HARFORD COUNTY LIQUOR CONTROL BOARD NOTES FROM THE INSPECTOR



May, 2023

## *Notes from the Inspector*

Renewal season has just finished here at the Liquor Control Board. Please ensure that your new license has been posted conspicuously, framed and under glass, as required by Alcoholic Beverages Code § 4-508 and Board Rule 3:03. As the summer season quickly approaches, please be mindful of the below information that may help you achieve compliance and success in the operation of your business. As always, I am here to assist you. Do not hesitate to contact me via email or phone with any questions. The Rules and Regulations of the Harford County Liquor Control Board are on our website. For your reference, they can be found here: <http://hclcb.org/sites/default/files/2021%20Amended%20Rules%20%26%20Regs.pdf>

### **Retail Delivery (Class A and A-1 Licenses ONLY)**

If you are the holder of a Class A or Class A-1 License, the Board may issue you a letter of authorization to conduct retail delivery of alcoholic beverages. This privilege does not apply to restaurants, taverns, and other license classes. During the Liquor Control Board hearing on May 3, 2023, there was a discussion about the areas in which a licensee may deliver alcoholic beverages. Based upon a review of Board Rules and Maryland Code, the Board issued a decision that licensees with a Class A or Class A-1 License, who possess a letter of authorization issued by the Board, may deliver alcoholic beverages throughout the State of Maryland, without regard to jurisdictional boundaries. If you already possess a valid letter of authorization from the Board, you do not need to submit another application and may exercise this privilege immediately. When engaging in delivery, please review Board Rule 4:15 and be compliant with all requirements of the rule.

### **Carry out Alcohol for Restaurants and Taverns**

In response to the restrictions of the 2020 COVID response and its impact upon the restaurant industry, certain temporary privileges were granted to restaurants and taverns which allowed those businesses to sell alcoholic beverages and mix drinks for off-premise consumption (to-go drinks). Those privileges will expire at Midnight on June 30, 2023. Effective July 1, 2023, alcoholic beverages may not be taken from the premises of a licensed establishment with an on-sale only license. An exception would be the limited carry-out allowance under the wine corkage permit. If you are the licensee of a tavern or restaurant that, due to your specific license class, had off-premise package goods permission prior to 2020, you will retain that privilege.

### **Digital Identification**

In accordance with the Alcoholic Beverages Article § 6-305, an electronic credential issued by the MVA is now considered a valid proof of age for the sale of alcoholic beverages. As with any form of ID, I encourage you to ask for a second form of identification if you have any reason to doubt the age of a customer attempting to purchase alcohol.

## Sales to Minors

Underage Compliance testing failure rates have improved considerably. In fact, during a recent underage compliance test conducted in partnership with the Harford County Sheriff's Office, 100% of businesses tested passed the test by refusing to serve or sell alcohol to the underage cadet. This is a testament to the diligence of those business operators. Please maintain your vigilance in age verification and the prevention of sales of alcohol to minors. There is always another underage compliance test being planned and I am hopeful that we can again see 100% compliance.

## Sanitation and Safety

With warmer weather comes an increase in the number of insects, particularly fruit flies, attempting to infiltrate your business and your liquor. This will be a focus of upcoming inspections. There are several things you can do to control access to your product by these insects. Some suggestions are as follows:

1. Don't use bottle pourers at a slow bar where they aren't necessary to accomplish customer service.
2. Avoid using pourer tops on bottles that are most popular with insects. I have found that vermouth (dry and sweet), blue curacao, and surprisingly Dewar's Scotch Whisky are among the items most often infested with insects. Flavored vodkas and whiskeys are also quite popular with fruit flies.
3. If you choose to use bottle pourers at an exterior bar, or an interior bar with fruit flies present, consider using pourers with a square top and built-in screen. It has been my experience that these will prevent the majority of insects from contaminating your product.
  4. Inspect your inventory daily. Make inspection for insect contamination a part of your daily checklist and immediately dispose of any bottles found to be contaminated.

## THC and CBD Infused Food and Beverages

It has come to my attention that a company from out of state has been visiting licensees marketing a THC infused, alcohol-free seltzer beverage. Per the Harford County Health Department, as of now, the FDA and State Health Department have not granted approval for any CBD or THC infused food or drinks (alcoholic or otherwise). Offering such items for sale in your business may be a violation of Harford County Liquor Control Board Rule 3:07(b), which is as follows:

### **3:07 SANITATION, SAFETY & LIGHTING BR**

**(b) A license holder shall operate his or her establishment at all times in accordance with the applicable requirements of any governmental agencies; including, but not limited to the Board, the Harford County Health Department, the State Fire Marshal's Office, Harford County Government, and any municipal governments, as well as the requirements of the Alcoholic Beverages Article of the Annotated Code of Maryland.**

This page can provide more information:

[https://health.maryland.gov/phpa/OEHFP/OFPCHS/Pages/CBD\\_in\\_Foods.aspx](https://health.maryland.gov/phpa/OEHFP/OFPCHS/Pages/CBD_in_Foods.aspx)

Thank you for taking the time to review this information. I look forward to continuing to work with each of you.

**William A. Colburn, IV**

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