

ILCC News



Newsletter of the Illinois Liquor Control Commission

A message from ILCC Director Chima Enyia



Chima Enyia
Director,
Illinois Liquor
Control Commission

Holiday season is upon us! The ILCC would like to encourage all relevant licensees to make sure all servers and bartenders are BASSET trained, carding, and checking for signs of over intoxication.

Establishments and their employees all have a part to play in making sure customers are not drinking and driving. Remember, the Illinois Dram Shop Act establishes a cause of action against businesses that sell liquor for any injury to a person or property that occurs by an intoxicated person who patronized the establishment. This means that bars, clubs, and restaurants (among other places) that serve alcohol can be held liable due to an accident that arise from drunk driving.

As students return for winter break, we also encourage you to join the ILCC in our efforts to raise awareness about the negative consequences of underage consumption of alcohol. National surveys have shown that most underage access to alcohol comes from of-age family and friends.

Please visit our website and social media for tips, best practices, and free educational material. Enjoy the holidays and have a prosperous new year!

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Licensing of Craft Distillers and Distilling Pubs

This Public Act amends the Liquor Control Act of 1934, 235 ILCS 5/5-1(a) with regard to the licensing of craft distillers; adds 235 ILCS 5/5-1(u) creating distilling pubs; and adds 235 ILCS 5/5-1(v) creating craft distiller warehouse permits. The law will also allow class 1 craft distillers and class 2 craft distillers to sell their own spirits and vermouth at their licensed premise location.

Q: I am currently licensed as a craft distiller. What can I do?

A: 1). Apply for a **Distilling Pub license** with full-retail privileges (no self-distribution).

2) Apply for a **Class 1 craft distiller license** which allows for self-distribution and manufacturing of no more than 50,000 gallons annually.

3) Apply for a **Class 2 craft distiller license** which allows for up to three distilling pub locations, no self-distribution, and the manufacturing of more than 50,000 gallons but no more than 100,000 gallons annually.



If you choose to convert your current craft distiller license to a Distilling Pub, you will need to pay \$1,500 for the Distilling Pub license. If you are not converting to a Distilling Pub, you will then need to apply for a Class 1 craft distiller license for \$75 or you can apply for a Class 2 craft distiller license for \$100. If a Class 1 or Class 2 craft distiller license is issued under your current Craft Distillers license then you will maintain the same expiration date that is referenced on your current Craft Distillers license. Alternatively, you have the option to apply for a new Craft Distiller license and pay the \$2,500 annual fee along with the corresponding Class 1 or Class 2 annual fee and be issued a new expiration date that will cover approximately a 12 month licensing period. Please contact the Licensing Division for further clarification.

Q: I want to self-distribute and own distiller pubs. Is that possible?

A: No. The law allows you one or the other, but not both.

Q: I'm a licensed distiller. Can I sell at retail?

A: No. Only a Distilling Pub, Class 1 Craft Distiller and Class 2 Craft Distiller may sell at retail from their licensed premises.

Q: If I am a Class 2 Craft Distiller can I sell other manufacturer's spirits at my licensed premises?

A: A Class 1 Craft Distiller and Class 2 Craft Distiller may only sell their own spirits, but also may sell vermouth purchased from a distributor. A Distilling Pub may sell all forms of alcoholic beverages.

Q: Can I self-distribute as a Class 1 Craft Distiller and also have a distribution agreement with a licensed Illinois Importing Distributor or Distributor.

A: Yes.

ILCC News

Article suggestions are welcome!

The ILCC welcomes your input to enhance the *ILCC News*. If you have a suggestion for an article or topic or have a helpful hint to share with other licensees, please contact the ILCC's Chicago Office.

ILCC News is published by the Illinois Liquor Control Commission for state liquor licensees, local government officials, industry associations, and related government agencies.

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Mobile Bar Tending Service Requirements

The food truck is here to stay. Along with the food truck has come the concept of mobile bar tending services. The ILCC has received numerous inquiries into mobile bar tending services and how to set one up legally. No two business models are the same. You might be bringing a converted Winnebago or setting up shop on a folding table, this article is a guide but for getting started.



The first step in the analysis is to determine if a license will be required for the event in question. If the event is a private personal event, the alcohol is purchased by the private event host, and there is no charge for the drinks, the event does not require a license. A bar tending service could be hired for the purpose of mixing and serving drinks. It is still highly recommended that the server be BASSET certified.

However, what happens if the event is not a private event. Your business needs a license. The Liquor Control Act ties Retailer licenses to single locations. Each location in which alcohol is served or sold needs its own license. As a Retailer, alcohol cannot be served or sold outside of the location on the license. So how do you set up a bartending service which will go to multiple locations?

You could obtain a Caterer Retailer license. However, a Caterer Retailer license only permits the licensee to serve and sell alcohol incidental to food service at an event (snacks are excluded as food service) and as part of a meal package. Additionally, the Caterer Retailer must be providing both the food and alcohol service at an event. The best avenue to operate a mobile bartending service

is by obtaining a Special Use Permit for each event. A Special User Permit allows a previously licensed Retailer to operate at alternative locations for up to 15 days per year at each alternative location. The Retailer must submit an application to the ILCC for each location and event. Not all municipalities permit special use permits, so you will need to check with each municipality prior to the event. There may also be different fees which are associated with each location.



In summary, the ILCC recommend that when setting up a mobile bartending service, you should follow the following steps.

1. Obtain a physical location and liquor liability insurance
2. Obtain a Local Liquor license from your physical location municipality
3. Obtain a State of Illinois Retailer liquor license
4. Obtain a Local Liquor special user permit or authorization to operate for the date, time, and location of the event
5. Obtain a State of Illinois Special Use Permit to operate for the date, time, and location of the event.
6. Ensure all staff are appropriately BASSET certified
7. Contact the appropriate Illinois licensed Distributor to arrange purchase of alcohol for the event
8. Provide sales/service at the event.

Holiday Binge Drinking Awareness

With the holidays upon us, local businesses can be an invaluable ally in making holidays safe for everyone. According to the National Institute of Health, the Holidays are just one time throughout the year when there is an increased propensity for underage drinking to occur; including “binge” drinking (Adolescent Binge Drinking: Developmental Context and Opportunities for Prevention, Jan. 2018).

Together, businesses, individuals, and government agencies can work together to save lives and make the holidays fun and enjoyable. Here are some things you can do to make these holidays safe:

Card Hard!

As our slogan suggests, make it a habitual practice to check the identification card. Keep in mind that the cost associated with one lost customer, due to proper identification checks, is far less than the costs associated with fines, penalties, and potential civil liabilities for accidentally serving underage patrons. Penalties assessed by the State can be substantial and may even result in license revocation or suspension.

Always greet the customer and never be intimidated to ask for Identification. Remember, you’re not only protecting yourself, but also them.

When carding, makes sure to:

- Have them remove the I.D. from their wallet.
- Feel the I.D. to check for any alterations or tampering.
- Check the individual to the statistics on the card.
- If you doubt the legitimacy of the I.D., ask for a second form of I.D. and/or get a second opinion from a co-worker or manager.
- Familiarize yourself and your staff with current I.D.’s issued by other states through referencing I.D. Checking Guides, which can be purchased online

Conduct an “Ocular Pat Down”

Observe every customer that walks through your doors, do they display signs of intoxication or impairment? If so, you are not obligated to provide service to these customers. You can always ask them to leave. Again, a

cost-benefit analysis of a lost customer is still in your favor, when considering the potential consequences down the road.

Signs of intoxication include, but are not limited to:

- Uncoordinated walking (ataxia).
- Flushed face, bloodshot, glassy, or watery eyes.
- Slurred speech.
- Euphoria (excessive/fast talking, boasting, or showing off).
- Boisterous, overly annoying, aggressive, or overly friendly behaviors.
- Thriftless behavior with money
- Excessive perspiration, frequent restroom visits,
- An odor of alcohol

Does the customer appear young? If so, ask for identification. You can even ask this of older patrons. They may even be flattered by the suggestion that they have maintained their youthful appearance.

Just as with carding, establishing clear and consistent procedures on identifying potentially intoxicated, or underage individuals helps protect your establishment and the patrons.

Source: Oregon Liquor Control Commission

BASSET

Make sure all your sellers, servers, and security staff are current on their Basset training. Remember, Basset training is mandatory for all bars, restaurants, nightclubs, movie theaters, and taverns. You must keep BASSET certificates on premise and they are good for three (3) years, before needing to be re-upped. Some municipalities require BASSET training for packaged goods and off-premise establishments. Please check with your local ordinances to find out if your municipality is one of them.

Parents

For parents whose children are returning from college, for the holidays, this is a great article from the Huffington Post that you should take a moment to read: [From Dorm Room to Dinner Table: When College Kids Are Home for the Holidays.](#)

Alcohol mixed with other drugs can be a deadly combination

by Lee J. Roupas, ILCC BASSET Program Manager

It is a server, bartender, or bouncer's duty to be aware of impaired guests both inside or entering their establishment. Impairment can not only happen from drinking too much alcohol, but also from mixing alcohol with prescription, over-the-counter, or illegal drugs. It can influence impairment by causing intoxication at a faster rate, or alcohol mixed with drugs can make a person's state of intoxication longer than normal.

A major concern facing bar owners, managers, and servers is the legalization of recreational marijuana in Illinois. Can it affect the alcoholic beverage industry? Yes, it can. Marijuana is more challenging to detect for signs of impairment.

By consuming both marijuana and alcohol together, or "cross fading," can magnify the Tetrahydrocannabinol (THC) effect leading to the following symptoms:

- Poor Coordination
- Disorientation
- Nausea and vomiting

In some individuals, the anti-emetic effect of THC prevents from eliminating alcohol by vomiting to reduce the body's defenses against alcohol poisoning.

Just like alcohol, other drugs travel through the bloodstream, and effects organs, such as the brain, heart, liver, and pancreas. There are three types of interactions occur within the body when the two substances of alcohol and drugs are mixed:

- 1. Additive:** An effect which two substances or actions used in combination produce a total effect the same as the sum of the individual effects.
- 2. Synergistic:** The capacity of two or more drugs acting together so that the total effect of these drugs is greater than the sum of the effects if taken independently.
- 3. Antagonistic:** The effect of the drug is diminished in the presence of alcohol.

Alcohol, with the combination of marijuana and other drugs working together in the body can intensify the negative affects on the body, elevate the risk of overdose, alcohol poisoning, and possible death.

BASSET Issues and Information

The Illinois Liquor Control Commission (ILCC) is the licensing and regulatory agency for all server training programs in the State of Illinois. You cannot teach BASSET training without obtaining a BASSET license. To do so you must complete an Instructor Training program that is approved and licensed by the ILCC. Upon completion of the Instructor Training course then an application for a BASSET license must be filled out and a check or money order made out the Illinois Liquor Control Commission for \$350.

BASSET Rosters Spreadsheet - Submit your BASSET rosters on the standardized spreadsheet issued by the ILCC, to the BASSET email address at REV.ILCC.Basset@illinois.gov. Contact the Lee Roupas if you need a spreadsheet for your student rosters lee.roupas@illinois.gov.

Online Programs - Please make your program help line or IT information available and accessible in the event one of the students is having difficulty logging in or other IT related issues.

BASSET Trainers' Class Schedule on the ILCC website

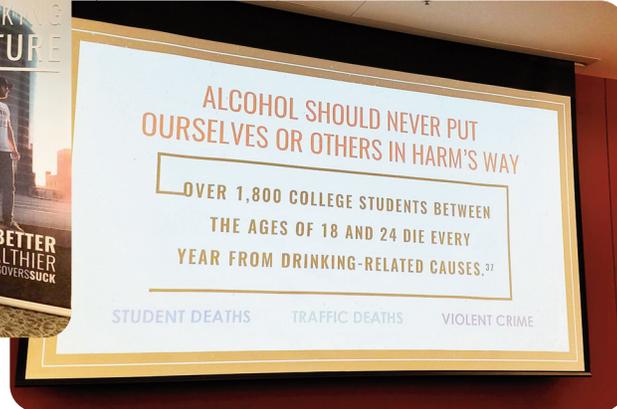
– Please send your class schedule in the following format: **DAY, MONTH, TIME, CITY, LOCATION, ADDRESS, CONTACT PERSON, PHONE NUMBER, EMAIL AND WEBSITE.** Example: Tuesday, February 7, 2020, 9 AM – 1 PM, 100 W. Randolph, Chicago, IL 60601, Lee Roupas, 312-987-5687, lee.roupas@illinois.gov.

BASSET Training for New Hires - New hires must be trained within 120 days of the hire date however, *if a municipality or business require a shorter period to get trained, or a prospective new hire must be BASSET training as a precondition for employment, they have that prerogative to enforce that ordinance or policy.*

Student Numbers – BASSET trainers must assign student numbers. Keep records of those student numbers and make them available to the students in the event they need them to reprint their BASSET cards on the following link <https://mytax.illinois.gov>.

College Town Summit 2019 Highlights

On November 14, 2019 the ILCC held the 11th Annual College Town Summit at the University of Illinois – Champaign-Urbana. The College Town Summit is an annual event that brings together college town stakeholders to share their concerns, needs, and experiences to reduce collegiate alcohol misuse and abuse. Highlights from the summit can also be found on our social media.



CARD HARD!

- Politely greet the person.
- Do not be intimidated.
- Ask him or her to remove the ID from their wallet.
- Feel the ID and check for tampering.
- Look at the person.
- Look at the description.
- Look back at the person.
- Read the information.
- Do the math.
- Ask for another form of identification if in doubt of the ID presented.
- Get a second opinion from a manager or co-worker if needed.



Lee Roupas, the "Card Hard Man". Lee is the manager of the Illinois Liquor Control Commission's Beverage Alcohol Sellers and Servers Education and Training (BASSET) and Under 21 programs. For more information contact Lee at (312) 814-0773 or email lee.roupas@illinois.gov

2020 "Proof of Age" signs and "1999" stickers

DO NOT throw away your current ILCC "Proof of Age" signs, as these are limited quantity for new licensees.

2 x 4 labels with the year "1999" (for placement over the old year) will be made available in January along with printable 2020 signs.

The link to order stickers www.illinois.gov/ilcc.

Order FREE Illinois Liquor Control Commission materials today!

The following FREE Illinois Liquor Control Commission materials are available to all licensees by visiting www.illinois.gov/ilcc. Click on the link below for the Retail Licensee Informational Packet which contains a variety of materials to ensure you comply with the law.

<https://www2.illinois.gov/ilcc/Education/Pages/Order-Licensee-Info-Kit.aspx#form>

For free ILCC signage, posters, and door/cooler decals click on the link below.

<https://www2.illinois.gov/ilcc/Pages/Order-Signage.aspx>

- Illinois Liquor Control Act.
- The Happy Hour law handout.
- Alcohol "Proof of Age" and "Pregnancy Warning" Signs.
- "We Card Hard" decal and poster.
- "BASSET Training Information" brochure.
- Past "ILCC News" newsletters.
- "NOTICE" poster on acceptable IDs.
- "ID Checking" Training Guide
- And much more!



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