

Florida Beer Wholesalers Association

July 11, 2016

To: FBWA Members

From: Mitch Rubin

Re: Tournament Prizes Prohibited

Facts: A vendor conducts tournaments on its premises. An alcoholic beverage distributor wishes to furnish tournament prizes to promote its brands.

Issue: Whether an alcoholic beverage distributor may promote its brands by furnishing tournament prizes?

Brief Answer: No. An alcoholic beverage distributor may not provide tournament prizes.

Analysis: Section 561.42 (1) and Rule 61A-1.010 prohibit direct and indirect assistance to vendors except as otherwise provided in the Beverage Law.

Rule 61A-1.0106 provides an exception for an alcoholic beverage distributor to participate in vendor-sponsored tournaments and contests. The Rule, however, provides that distributors may not pay more than normal entry fees and may not advertise, co-sponsor, underwrite, or contribute in time, money, gifts or provide any other prohibited assistance.

61A-1.0106 Vendor-Sponsored Tournaments Exception.

Industry members may participate in vendor-sponsored tournaments and contests but must pay no more than normal entry fees. Industry members shall not advertise, co-sponsor, underwrite, or contribute in time, money, gifts or provide any other assistance prohibited by Section 561.42 (1), F.S.

Conclusion: An alcoholic beverage distributor may not furnish tournament prizes.