



ILCC News

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Inside This Issue

Director's Note 2

Are You Violating
the Law? 2

ILCC Offers Regional
Education & Training
Seminars 3

Easy Operating Tips for
Licensees 3

Up in Smoke? 4

Tobacco Program
Updates 4

Tobacco Retailer Kits . . . 5

2005 New BASSET
Licensees 6

BASSET
Trainer-of-the-Quarter . . 6

Proper Training Can
Reduce the Number
of Traffic Deaths 6

“Bottle Service” &
the Happy Hour Law . . . 7

Card Hard Tips! 8

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A Letter from the Chairman



With liquor laws being the focus of intense media scrutiny lately, now is a good time to review the Illinois Liquor Control Commission's (ILCC) role in enforcing and educating the public on state liquor laws. The nature and responsibilities of this Commission are complex and many. This includes administrative and policy matters—but most importantly—appellate legal decisions.

While adhering to strict qualifying criteria, the ILCC annually issues over 26,000 liquor licenses in 28 different license categories. These categories are split into the “three tiers” of the liquor industry—manufacturers, distributors, and retailers. Please note that a licensee can belong to only one of the three tiers; for example, a retail liquor establishment cannot distribute or manufacture alcohol.

The ILCC's work is not done once a license is approved, the Commission is also charged with ensuring that licensees are complying with the provisions of the Illinois Liquor Control Act. In this role, ILCC special agents respond to all complaints regarding violations and conduct approximately 20,000 yearly liquor inspections. Additionally, these agents serve as liaisons to local liquor commissioners and law enforcement officials. They also perform orientation inspections for new licensees upon request.

Finally, to meet the responsibility of protecting health, safety and welfare, the ILCC encourages the responsible selling and serving of alcohol. Through licensing and promotion of the *Beverage Alcohol Sellers and Servers Education and Training* (BASSET) program—along with a variety of other ILCC educational initiatives—the ILCC places an emphasis on reducing incidents of driving under the influence of alcohol and preventing its sale to minors.

It is our goal to strictly enforce all laws regarding the sale of alcohol. Your license is a valuable asset, and it is your responsibility to adhere to the rules. Violators of the law will be penalized.

Irving J. Koppel
Chairman
Illinois Liquor Control Commission

FREE Special Event License DVD! See Director's Note on page 2.

Director's Note: Holding a Special Event?

Applying for One Now FREE and Easy...



At the Illinois Liquor Control Commission (ILCC), we realize that hosting a special event is an exciting and rewarding experience. We also recognize, of course, that planning for your event can be very stressful and time-consuming as well.

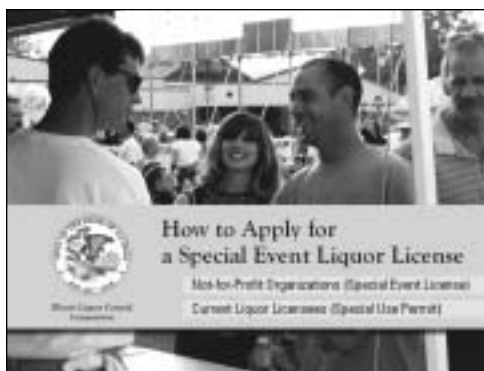
Each year, the ILCC processes hundreds of applications for special event liquor licenses. Unfortunately, many of these requests must be returned to the applicant due to improperly completed forms or missing supporting documents. While many of these errors are minor and easily correctable, approval of your license will ultimately be delayed, costing both you and your organization valuable time and money.

To counter this on-going problem, the ILCC has taken a pro-active approach through the creation of a short video tutorial—*How to Apply for a Special Event Liquor License*. Presented in convenient DVD form, the tutorial can be viewed on either your DVD-compatible television or computer.

Whether you are a current liquor licensee applying for a Special Use Permit or a non-profit organization requesting a Special Event License, the DVD's easy to follow step-by-step instructions will allow you to spend your time more productively. In addition to showing you how to apply for your special event liquor license, the video also addresses state regulations that need to be followed and explains how to purchase alcohol legally for your special event.

On behalf of the ILCC, we wish you the best of luck in hosting your event. By following the steps and guidelines outlined in the DVD, your organization or business will thank you for doing your part to ensure the success and legality of your event. To order a free copy of the DVD, please contact our Industry Education Division at 312.814.4802.

Michael J. Malone
Executive Director
Illinois Liquor Control Commission



Are You Violating the Law?

ILCC special agents offer suggestions on how to stay on the straight-and-narrow

At over 26,000 licensed entities throughout the state, the Illinois Liquor Control Commission's (ILCC) special agents are responsible for conducting liquor inspections. These agents often inspect over a thousand establishments each year; this makes them a valuable resource in efforts to ensure state laws are understood and being followed.

While many cited violations are clearly illegal—for example, selling contaminated liquor or selling alcohol to minors—other

continued on page 3

ILCC News

Article suggestions are welcome!

The Commission welcomes your input to enhance the ILCC News publication. If you have a suggestion for an article topic or a helpful hint to share with other licensees, please contact the Commission'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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“Are You Violating the Law?” continued from page 2

violations are not as obvious. So what types of violations would otherwise law-abiding retailers possibly miss? To lessen the possibility for misunderstandings, ILCC special agents are eager to share their knowledge on a few easily corrected problem areas during their inspections:

Tap cleaning records. Your taps must be clean when checked by ILCC special agents. If you have a glycol, constant cold, electronic, or constant cleaning system installed, you may clean the taps/lines every other week. If you do not have such a system installed, your taps/lines must be cleaned every week. In either case, a written record must be signed and dated each week by the person who cleaned the taps/lines or checked to verify that the installed system is working properly.

Fundraising events that feature gambling. Raising money for worthy causes is certainly a noble endeavor...but it can be illegal if you are not registered with the appropriate governmental agencies. This is especially true if your event involves games of chance. For example, if you will be holding a Bingo or Texas Hold 'em fundraising event for a local charity, you must follow strict guidelines set forth in the Charitable Games Act. For more information about the Act and how to apply for a charitable games license, please contact the Illinois Department of Revenue's Bingo and Charitable Games Office at 217.524.4164.

Locked storage rooms. ILCC agents are allowed to visit the entire liquor establishment during inspections. This includes locked storage rooms and offices. Make sure your employees have a key to allow entry into these areas should an ILCC special agent arrive while you are off premises. If your 90 days of invoices and tap cleaning records are behind a locked door, you could be facing significant fines.

Purchasing liquor at retail. ILCC agents often report that an employee will admit to buying a bottle of liquor at retail because they ran out of a particular brand of alcohol. This is, of course, illegal. Make sure your employees know that ONLY a distributor can supply alcohol to your establishment.

Damaged product. Liquor product damaged by the retailer itself, its agents, employees or customers can neither be replaced free of charge nor may a credit be given by the distributor. When such a transaction is discovered, an ILCC special agent will issue the distributor a violation for “*providing something of value*” and issue a violation to the retailer for “*accepting something of value.*”

ILCC special agents hope the above tips will help prevent you from running afoul of the law during your next inspection.

ILCC Offers Regional Education & Training Seminars

By Lee J. Roupas, ILCC BASSET Program Manager

As the governing body of the alcoholic beverage industry, it is the desire of the Illinois Liquor Control Commission (ILCC) for every licensed establishment in Illinois to be in compliance with the law.

In the past, the ILCC has hosted numerous licensee education and training seminars throughout Illinois. The seminars have kept liquor licensees informed about policies, licensing requirements, and available training programs such as the *Beverage Alcohol Sellers and Servers Education and Training* (BASSET). Licensees have been equipped with knowledge on the laws and have been given education materials, training guides, posters, and door decals to display in their establishment to keep them within the guidelines of the Liquor Control Act, as well as local laws.

The ILCC has partnered with mayors, local liquor commissioners and area law enforcement to host education and training seminars to give the licensees an opportunity to be informed and ask questions to the state, local, and law enforcement officials. Seminars will consist of brief, informative presentations from the mayor, police and representative from the ILCC. The ILCC will provide a presentation from the BASSET program along with the Secretary of State's Operation Straight ID program. To request an education and training seminar in your town contact the ILCC at 312.814.0773.

It's as Easy as 1-2-3...

By Dusanka Marijan, Licensing Manager

Easy Operating Tips for Licensees

1. **Plan ahead.** When renewing your license by mail, make sure to allow five to seven business days for the issuance of the new license. This also applies to new licensees.
2. **Organize paperwork.** Your new or renewed license application must include copies of your local liquor license and a certificate of insurance for all on-premise and combined licenses.
3. **Enclose proper payment.** Please ensure your check is made out to the Illinois Liquor Control Commission. If you are a retailer liquor licensee, the yearly fee is \$500.00.

FY 2005 Tobacco Enforcement Program

During the FY 2005 Tobacco Enforcement Program, 180 grants were awarded to 242 communities (see “Up in Smoke?” for more details about the City of Chicago’s grant). Through the program, retail education was provided to approximately 10,000 statewide tobacco retailers. In addition, 17,664 compliance checks were completed which resulted in 1,789 sales violations for a non-compliance rate of 10.1 percent. A breakdown of each round of compliance checks is as follows:

Round	Compliance Checks	Sales	Non-Compliance Rate
Round 1	7,222	868	12.0 %
Round 2	4,876	471	9.6 %
Round 3	5,566	450	8.0 %
Total	17,664	1,789	10.1 %

For the FY 2006 Tobacco Enforcement Program, 202 grants are being awarded to 259 communities.

FY 2005 State Annual Survey (Synar)

All of the required 635 compliance checks have been completed. These checks will determine the State’s compliance rate to minimum-age tobacco laws.

The State is required to achieve a non-compliance rate of no greater than 20 percent. For the second year in a row, preliminary figures indicate that the State achieved a 94 percent compliance rate.



Director Bea Reyna-Hickey of the Chicago Department of Revenue stands in front of the 60,000 packs of cigarettes prior to their shredding on Aug. 1.

Up in Smoke?

Not quite, but 60,000 packs of cigarettes head for shredder instead...

Thanks in part to a grant from the Illinois Liquor Control Commission (ILCC), the Chicago Department of Revenue (CDOR) destroyed 60,000 packs of cigarettes on August 1. The shredded tobacco items consisted of illegal tobacco products, packs that were sold to minors, and confiscated tobacco from retailers found without the proper tax stamp affixed.

To discourage retailers from selling tobacco to minors, the city received over \$400,000 from the ILCC’s “Kids Can’t Buy ‘Em Here” Tobacco Enforcement Program to conduct unscheduled inspections during the past year. Through this program, CDOR investigators inspected nearly every licensed tobacco retailer in the city. Out of the 4,130 investigations conducted, 3,656 were found to be compliant and did not sell to minors. The city’s compliance rate of nearly 90 percent this year is almost double the rate the city achieved in 1993.

“We are happy with our success rate; however, the ultimate goal of the *Tobacco Sales To Minors Program* is to achieve a 100 percent compliance rate,” says CDOR Director Bea Reyna-Hickey.

Get Ready For the Playoffs!

Tobacco Retailer Kit

Help your employees hit a "home run" in compliance; order the Tobacco Retailer Kit

Help your team bat a perfect "1000" in compliance – order the Tobacco Retailer Kit

Don't allow your employees to "error" on a routine sale - order the Tobacco Retailer Kit

It's the busiest time of day and your service lines are full. Don't let your clerks "strike out" in compliance. Give them the tools they need by ordering the Tobacco Retailer Kit call 312.814.6884



2005 New BASSET Licensees

JANUARY

- Server Intervention Program

FEBRUARY

- Millennium Knickerbocker Hotel

MARCH

- Bartlett Volunteer Fire Department
- City Beverage
- Double Eagle Distributors
- Levy Restaurants
- Roxanne Muscia
- Village of La Grange Police Department

APRIL

- Chicago Bartending School
- Chicago Dough Company
- Silver Lake Country Club

MAY

- Cineplex Odeon
- Grundy-Kendall Regional
- Professional Server Certification
- Renz Addiction Counseling Center
- Village of Brookfield
- White Lodging Services

JUNE

- Arlington Racecourse
- Alton Holiday Inn
- Neiman Marcus
- Village of Hinsdale

JULY

- Northwestern University
- Spirit Cruises

Robertson Picked as BASSET Trainer-of-the-Quarter

By Lee J. Roupas, ILCC BASSET Program Manager



Thomas Robertson

Every quarter, a licensed trainer for the *Beverage Alcohol Sellers and Servers Education and Training* (BASSET) program is selected and featured in the ILCC newsletter.

For Fall 2005, the Illinois Liquor Control Commission is proud to announce that **Thomas Robertson** has been chosen as BASSET's Trainer-of-the-Quarter. A BASSET program trainer for over four years, Thomas has trained over 120 sellers/servers during this past year. He currently serves as a restaurant manager at the Pump Room Restaurant in Chicago. He has many years of experience working in the hospitality industry, which has equipped him to be an effective BASSET trainer.

Thomas' enthusiasm shines through when he teaches servers how to perform techniques that can literally mean the difference between life and death. When conducting a class, he always likes to remind servers that they "could be literally saving someone's life."

When asked about advice he can give to sellers/servers, Thomas replied, "Don't be intimidated by anyone! You are the 'manager' of the product you are serving." He further added, "Patrons can tell if you are intimidated and may try to take advantage of you."

A Chicago resident, Thomas enjoys studying foreign languages along with wine and spirits in his spare time.

Proper Training Can Reduce the Number of Traffic Deaths

By Lee J. Roupas, ILCC BASSET Program Manager

Every year in Illinois over 600 people are killed in alcohol-related crashes. It should be every citizen's duty to prevent the resulting carnage of drunk driving.

Individuals must know their limit and consume alcohol responsibly. Friends need to take action if they see someone ready to enter their vehicle intoxicated. For example, they can offer to take them home or call them a cab.

Alcohol-related fatalities can be greatly reduced if

liquor-serving establishments would not over serve. These establishments are responsible for what occurs in and on their premises. Employees serving alcoholic beverages are obligated to serve responsibly and cut off service when someone has reached the point of intoxication.

There are behavioral cues and signs of intoxication that a server can observe to distinguish if a person is intoxicated. These include slurred speech, stumbling walk, glassy eyes, mood swings, overfriendliness,

contentiousness, or a strong smell of alcohol on the person. It is important that servers of alcoholic beverages receive proper training in responsible service, intervention, and prevention techniques. The Illinois Liquor Control Commission's *Beverage Alcohol Sellers and Servers Education and Training* (BASSET) program can adequately train the alcoholic beverage industry to prevent over-service and halt intoxicated patrons from leaving their establishments and driving in their cars while impaired by alcohol.

continued on page 7

"Proper Training..." continued from page 6

The consequences of overserving and over-consumption can be overwhelming on families, businesses, and the community as a whole. Innocent lives and livelihoods are lost. While livelihoods can be replaced, **lives cannot!**

For more information regarding BASSET training contact the ILCC at 312.814.0773.

"Bottle Service" & the Happy Hour Law

By Ivan Fernandez, ILCC Legal Counsel

The Happy Hour Law (235 ILCS 5/6-28), effective 8/31/89, was passed in order to eliminate the over consumption of alcoholic liquor and was intended to eliminate promotions that encourage over consumption. Recently, we have received numerous calls asking if "bottle service" is acceptable under Happy Hour. So-called "bottle service" or the act of selling an entire bottle of distilled spirits (ie. vodka, gin, whiskey, etc.) to a table or group of patrons in order for them to prepare themselves drinks is a **prohibited activity**. Although exceptions exist for the service of more than one drink of beer and wine (ie., pitchers, carafes, etc.), there is no such exception for the service of distilled spirits.

Happy Hour Law PROHIBITED Activities:

1. Serving two or more drinks to one person for consumption by that person. This requires that individuals be served only one drink at a time. Also prohibited are promotions such as "2 for 1" drinks, or any type of promotion which discounts drinks at a 2 for 1 or greater (3-1) price.
2. Serving an unlimited amount of drinks during a set period of time for a fixed price. This prohibits the practice of charging a flat fee for "all you can drink" all day or during a set period of time. However, an exception is made for private functions not open to the general public (e.g. wedding receptions and other "by personal invitation only" parties).
3. Reducing prices of drinks during a specified period during the day or to a specified group of individuals. This is the provision that prohibits the euphemistic "Happy Hour" and "Ladies Night" during which all patrons or only a specific group is given a promotion encouraging consumption. Prices for any specific product may not change during the business day. All customers must be charged the same price for the same alcoholic liquor.

4. Increasing the volume of alcoholic liquor contained in a drink without proportionately increasing the price regularly charged for that drink on that given day. This requires that the price of a drink be increased by the proportionate increase of the alcohol in the drink.
5. Encouraging or permitting games or contests which involve drinking alcoholic liquor or awarding drinks as prizes. Although a licensee may sponsor games and contests at its premises, alcoholic product may not be a prize for winning such contests, and the drinking of alcohol may not be part of the contest (e.g. chugging contest).
6. Advertising, in any way, any practice prohibited by the Happy Hour Law. The act of advertising a promotion which violates the Happy Hour Law is, in itself, a violation. The Illinois Liquor Control Commission takes the position that using the word "free" (or any form thereof, including "complimentary") in any advertising promotion regarding alcoholic liquor (e.g. "buy a case, get a six-pack free") is a violation of both 5/6-28 and Regulation 100.280.
7. Serving traditionally "individual" drinks in carafes, pitchers, etc., is considered by the Commission to be a violation of Happy Hour.

Happy Hour Law PERMITTED Activities:

1. Offering free food or entertainment. The Happy Hour Law was intended to control only the sale of alcoholic liquor, thus promotions which offer free products, including entertainment, to attract customers, are not prohibited.
2. Including drinks with a meal or hotel package. The emphasis of such promotion must be the meal or hotel package itself, and not unlimited consumption of alcohol.
3. Selling pitchers, carafes or bottles of beer or wine customarily sold in that manner and delivered to two (2) or more persons. Promotions such as "buckets" are allowable, as long as such promotions comply with all the other stated provisions of the Happy Hour Law.
4. Increasing drink prices in lieu of a cover charge if special entertainment, which is not regularly scheduled, is at the licensed premises. This provision allows a licensee to increase drink prices, in lieu of a cover charge, to defray the cost of non-regularly scheduled entertainment.

Illinois Liquor Control Commission



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Order Your **FREE** ILCC Materials Today!

*The following **FREE**
Liquor Commission
materials are available
to all licensees by
calling **312.814.4802**:*

- Illinois Liquor Control Act and ILCC/BASSET Rules and Regulations
- "Happy Hour Law" and "Just the Facts" fliers
- Alcohol "Proof of Age" and "Pregnancy Warning" signs
- BASSET Program Brochure and Age-Verification Guide
- "We Card Hard" decal and Liquor Licensee Employee Training Guide

Card Hard Tips!

- 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.

