

7515.0560 ON-SALE DEALERS.

Subpart 1. **Containers; minimum quantities; minimum proof of distilled spirits.** No on-sale dealer shall purchase or possess distilled spirits in containers of less than one-fifth gallon or its metric equivalent. Containers of less than one-fifth of a gallon, or its metric equivalent, shall be subject to confiscation, provided miniatures containing not more than two ounces, or their metric equivalent, may be purchased for dispensing devices, the use of which has been specifically approved by the commissioner. In addition, no on-sale dealer shall purchase distilled spirits other than cordials, liqueurs, or specialty items which are less than 80 proof.

Subp. 2. **Liquor to be consumed on premises.** On-sale liquor licensees may sell alcoholic beverages to lawful consumers by the drink for consumption on the premises only. For purposes of this part, the sale of miniatures in approved dispensing devices shall be considered sale by the drink in guest rooms of hotels as defined in Minnesota Statutes, section 340A.101, subdivision 13.

Subp. 3. **Display forbidden.** No on-sale liquor establishment shall display any intoxicating liquor when open to the public during hours when the sale of such liquor is prohibited by law.

Subp. 4. **Dilution or changing containers.** No on-sale dealers, or their employees, shall remove alcoholic beverages from the original containers and place the liquor in any other container, nor shall such persons dilute or in any manner tamper with the original contents as provided by Minnesota Statutes, section 340A.508, except that wine may be withdrawn from tax paid containers and placed in decanters for service purposes.

Subp. 5. **Containers subject to seizure.** Alcoholic beverages in open containers which upon inspection indicate dilution, tampering, refilling, or impurities are subject to seizure by the commissioner.

Subp. 6. **Containers must be visible to public.** All containers from which alcoholic beverages are sold or dispensed must be clearly visible to the consuming public, except that malt beverages may be dispensed by tap from the keg when the keg itself is not in sight, and miniatures may be dispensed by approved mechanical devices, provided that the brand label appears on the tap handle or device. No container of intoxicating or malt liquor shall be dispensed from any mechanical or coin-operated device, unless the device can be operated in full compliance with state law and the rules of the commissioner and has been specifically approved for operation by the commissioner. The commissioner may impose such conditions as the commissioner considers necessary for any such approval and the failure to meet those conditions or the violation of those conditions shall terminate any approval.

Statutory Authority: *MS s 14.06; 299A.02; 340.507*

History: *L 1985 c 305 art 3 s 1; art 7 s 8; 17 SR 1279; L 1997 c 129 art 2 s 15; 27 SR 1580*

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