

Sec. 04.09.400. Types of endorsements.

- (a) An endorsement expands the boundaries of a licensed premises or the authorized activities of a licensed business.
- (b) Only the board may issue an endorsement. The board may issue only the endorsements authorized in AS 04.09.400 – 04.09.520.
- (c) An endorsement is valid only in conjunction with a license. An endorsement may be transferred to another person only if the license for which the endorsement was issued is also transferred to that person. An endorsement expires if the licensed premises are relocated, the license expires, or the license is revoked.
- (d) Except as provided in (c) of this section, an endorsement is valid for the duration of the license as designated in AS 04.11.680. The holder of the endorsement shall renew the endorsement biennially.

(e) An application for an endorsement under AS 04.09.400 – 04.09.520 must

(1) be made in writing on a form prescribed by the board; and

(2) demonstrate that the holder of the license has authority over and will exercise control over conduct of the business in all areas of the licensed premises, including premises newly licensed by the endorsement.

Sec. 04.09.460. Package store shipping endorsement.

- (a) A package store shipping endorsement authorizes the holder of a package store license to sell alcoholic beverages to a person who makes an order to that licensee for shipment.
- (b) The biennial fee for a package store shipping endorsement is \$200.
- (c) An endorsement holder may ship alcoholic beverages only to the purchaser and may ship alcoholic beverages only in response to an order. The endorsement holder may not, in response to an order, ship alcohol to a purchaser at an address other than the address where the purchaser resides or, if the purchaser resides in a municipality or established village that has adopted a local option under AS 04.11.491(a)(1), (2), or (3) or (b)(1) or (2) for which a community delivery site has been designated under AS 04.11.491(f), to an address other than that community delivery site except as provided by AS 04.11.491(f)(1) and (2).
- (d) An endorsement holder shall provide written or electronic information on fetal alcohol syndrome and fetal alcohol effects resulting from a woman's consumption of alcohol during pregnancy to the purchaser in response to an order.

(e) If a shipment is to an area that has restricted the sale of alcoholic beverages under AS 04.11.491(a)(1), (2), or (3) or (b)(1) or (2), an endorsement holder may not ship to a purchaser more than 10.5 liters of distilled spirits or 24 liters or more of wine, or either a half-barrel keg of brewed beverages or 12 gallons or more of brewed beverages in individual containers in a calendar month, or a lower amount of distilled spirits, wine, or brewed beverages if the municipality or established village has adopted the lower amount by local option under AS 04.11.491(g). Before shipping alcohol to a purchaser in a restricted area, an endorsement holder shall consult the

database maintained by the board under AS 04.06.095 for any alcoholic beverage shipments made to the purchaser during that calendar month by a package store. An endorsement holder may not ship an amount of alcoholic beverages to a purchaser in a restricted area that, when added to the amount already shipped, exceeds the amount authorized by this subsection. An endorsement holder shall immediately enter into the database the date and the amount of alcoholic beverages shipped to the purchaser.

(f) An endorsement holder may not divide or combine shipments of alcoholic beverages so as to circumvent the limitation imposed under (e) of this section.

(g) In this section, "endorsement holder" means the holder of a package store license with a package store shipping endorsement, and an agent or employee of the holder of a package store license with a package store shipping endorsement.

(h) The holder of a package store license who ships alcoholic beverages without an endorsement under this section commits the offense of unendorsed package store shipping.

(i) The holder of a package store shipping endorsement who fails to comply with the requirements of (c) – (f) of this section commits the offense of package store shipping endorsement noncompliance.

(j) Unendorsed package store shipping is a violation and is punishable by a fine of \$500.

(k) Package store shipping endorsement noncompliance is a violation.

Sec. 04.09.490. Package store sampling endorsement.

(a) A package store sampling endorsement authorizes the holder of a package store license to offer for consumption on the licensed premises at no charge a small sample of an alcoholic beverage from its inventory during the package store's stated hours of business, but not between the hours of midnight and 8:00 a.m.

(b) The biennial fee for a package store sampling endorsement is \$200.

(c) Only the license holder or an agent or employee of the license holder may serve a sample.

(d) The holder of a package store sampling endorsement may serve a total volume of samples to a person on a licensed premises each day that does not exceed

(1) 12 ounces of beer or mead or cider, if the mead or cider contains less than 8.5 percent alcohol by volume;

(2) six ounces of wine, sake, or mead or cider, if the mead or cider contains 8.5 percent or more alcohol by volume;

(3) 1.5 ounces of distilled spirits; or

(4) the alcoholic equivalent of (1), (2), or (3) of this subsection.

(e) The holder of a package store sampling endorsement may not

publicly advertise, including through printed news, radio, or television, sampling activities conducted under the endorsement. However, the holder of a package store sampling endorsement may notify existing customers of sampling activities, including by electronic means.

(f) A person who offers a sample of an alcoholic beverage for consumption on the licensed premises of a package store without an endorsement under this section commits the offense of unendorsed package store sampling.

(g) Unendorsed package store sampling is a violation and is punishable by a fine of \$500.

(h) The holder of a package store sampling endorsement who fails to comply with the requirements of (a) and (c) – (e) of this section commits the offense of failure to comply with the terms of a package store sampling endorsement.

(i) Failure to comply with the terms of a package store sampling endorsement is a violation.

Sec. 04.09.470. Package store delivery endorsement.

(a) A package store delivery endorsement authorizes the holder of a package store license to deliver alcoholic beverages to the location of a social event as set out in this section. For purposes of this subsection, the board shall define by regulation the term "social event."

(b) The biennial fee for a package store delivery endorsement is \$200.

(c) The holder of a package store delivery endorsement may deliver alcoholic beverages only in response to an order. The board shall adopt regulations specifying the occasions for which delivery of alcoholic beverages is allowed and the manner of delivery by the licensee.

(d) The holder of a package store delivery endorsement may deliver alcoholic beverages only to a responsible adult at the delivery location specified on the order. The responsible adult shall provide identification and acceptable proof of age under AS 04.21.050 and acknowledge in writing receipt of the alcoholic beverages.

(e) The holder of a package store license who delivers alcoholic beverages without an endorsement under this section commits the offense of unendorsed package store delivery.

(f) The holder of a package store delivery endorsement who fails to comply with the requirements of (c) and (d) of this section commits the offense of package store delivery endorsement noncompliance.

(g) Unendorsed package store delivery is a violation and is punishable by a fine of \$500.

(h) Package store delivery endorsement noncompliance is a violation.

Sec. 04.09.480. Package store repackaging endorsement.

(a) A package store repackaging endorsement authorizes the holder of a package store license to subdivide and sell alcoholic beverages from original packages with federally compliant labels to smaller containers with the standard federal government warnings and the product name.

(b) The biennial fee for a package store repackaging endorsement is \$200.

(c) A package store licensee with a package store repackaging endorsement may

(1) subdivide alcoholic beverages

(A) for sale on the licensed premises by opening the original package for the purpose of subdividing the contents into smaller packages; or

(B) in response to a purchase request from a person who is on the licensed premises or purchase order submitted in accordance with AS 04.09.470(c);

(2) permit an agent or employee to subdivide alcoholic beverages, but may not permit a customer or another person who is not an agent or employee of the licensee to subdivide alcoholic beverages.

(d) The holder of a package store license who repackages alcoholic beverages without an endorsement under this section commits the offense of unendorsed package store repackaging.

(e) The holder of a package store repackaging endorsement who fails to comply with the requirements of this section commits the offense of package store repackaging endorsement noncompliance.

(f) Unendorsed package store repackaging is a violation and is punishable by a fine of \$500.

(g) Package store repackaging endorsement noncompliance is a violation.