

**INFORMATION BULLETIN – No. 005**  
***Advertising Guidelines for Brew on Premise &  
Liquor Delivery Service Licensees and Special  
Occasion Permit Holders***  
(January 22, 2003)

The Alcohol and Gaming Commission of Ontario (AGCO) announced a number of regulatory changes under the *Liquor Licence Act* that took effect August 29, 2002.

One regulatory change no longer requires liquor sales licensees and manufacturers to obtain pre-approval of advertising by the AGCO.

Brew on premises and liquor delivery services are industries that offer different services to the public. Regulations state the type of advertising that is permitted without pre-approval of the Registrar of Alcohol and Gaming (the “Registrar”). Any advertising that extends beyond the criteria permitted in the regulations requires prior approval of the Registrar.

Special Occasion Permit holders are also required to obtain prior approval of the Registrar for any advertising that extends beyond the criteria permitted under regulation.

**Brew on Premise Licensee**

Under Ontario Regulation 58/00, Section 10 (2) a brew on premise licensee, in an advertisement, may without the prior approval of the Registrar,

- (a) state that the licensee is licensed to operate a brew on premise facility where equipment for the making of beer or wine is provided for customers;
- (b) state the name of the licensed premises and its address;
- (c) provide a list of the goods and services available and their prices;
- (d) advertise the availability of various types of materials, beer wort, wine juices, wine juice concentrates or other juices or juice concentrates.

A brew on premise licensee shall ensure that no advertisement used by the licensee promotes immoderate consumption or indicates that beer or wine is available for sale or exchange on the licensed premises. The licensee shall also ensure that no customer advertises, on the licensed premises, beer or wine for sale or exchange.

### **Liquor Delivery Service Licensee**

Under Ontario Regulation 718, Section 21, a liquor delivery service licensee, in an advertisement, may without the prior approval of the Registrar,

- (a) state that the licence holder is licensed by the Alcohol and Gaming Commission to deliver liquor from government stores operated by the Liquor Control Board of Ontario or Brewers Retail Inc. to a person's residence;
- (b) state the name of the delivery service, its address, telephone number, facsimile number and e-mail address or the name under which the licence holder is carrying on business and its delivery fees; and
- (c) refer in general terms to the types of liquor available for delivery.

The licence holder shall ensure that no advertisement promotes the immoderate consumption of liquor, conveys that liquor is offered for sale by the licence holder or targets a person under 19 years of age.

### **Special Occasion Permit Holders**

Special Occasion Permit Holders shall also obtain prior approval of the Registrar to advertise liquor or the availability of liquor. A permit holder may, other than those holding a “reception” type special occasion permit, without the prior approval of the Registrar,

- (a) state that the permit holder has a permit;
- (b) state the name of the establishment where liquor is available or the name under which the permit holder is conducting the event;
- (c) refer in general terms to the types of liquor available on the premises to which the permit applies; and
- (d) state the name of a manufacturer who donates liquor for the holder of a special occasion permit where the special occasion is a fundraising event conducted by a charitable organization that is registered under the *Income Tax Act* (Canada) or a non-profit association or organization for the advancement of charitable, educational, religious or community objects.

In an advertisement for an auction, the holder of the auction permit may, without the prior approval of the Registrar, also include the name of the brands of liquor and the source of the liquor that will be offered for sale by auction.

A permit holder also holding a valid raffle lottery licence issued by a municipality or the AGCO may, without the prior approval of the Registrar, advertise that liquor is a prize to be awarded at the event and state the type and brand of liquor to be awarded, the name of the manufacturer donating the liquor and any rules and restrictions governing the event.

The AGCO will continue to monitor beverage alcohol advertising and review all complaints received. All licensees and permit holders are required to comply with the regulations and advertising guidelines. Non-compliance with the regulations and guidelines could result in prosecution, suspension of advertising privileges and/or suspension or revocation of their licence or permit.

Complaints regarding non-compliance with the regulations may be submitted to the AGCO. Your complaint must be submitted on the form supplied by the AGCO. The form is available on line at [www.agco.on.ca](http://www.agco.on.ca) or you can request a copy of the form from our Customer Service at (416) 326-8700 or Toll Free 1 –800-522-2876

For more information about sampling, please visit the Liquor Advertising section of our website at <http://www.agco.on.ca/en/b.alcohol/b10.liquoradvertising.html> or contact our head office at (416) 326-8700 or toll free at 1-800-522-2876.