

## **SUBCHAPTER 5. PERMITS**

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### **19:50-5.1 Social affair permit**

(a) For purposes of this section:

"Fee" means any amount charged in connection with attendance at an event, whether a direct charge for drinks, the purchase of tickets, admission, donations or other assessments, or an indirect charge for food, entertainment or any other costs.

"Sponsoring organization" means an organization which operates solely for civic, religious, educational, charitable, fraternal, social or recreational purposes and not for private gain and which sponsors an event in, on or about the premises of a CHAB licensee.

"Social affair" means an event sponsored and conducted by a sponsoring organization in, on or about the premises of a CHAB licensee for which any fee is charged in connection with attendance.

(b) The sponsoring organization may sell or serve alcoholic beverages to persons attending a social affair provided that such organization holds a social affair permit issued by the Commission. The holder of a social affair permit may purchase alcoholic beverages from a CHAB licensee or a New Jersey licensed wholesaler, distributor or retailer for resale for on-premises consumption.

Adopted, effective: 01/19/99

### **19:50-5.2 Merchandising permit**

A licensed wholesaler or other person may offer complimentary samples of alcoholic beverages in connection with a merchandising show, alcoholic beverage product introduction event or other promotional event held on the premises of a CHAB licensee, and may accept orders for alcoholic beverages from New Jersey retail licensees, provided that such wholesaler or person holds a merchandising permit issued by the Commission.

Adopted, effective: 01/19/99

### **19:50-5.3 Consumer alcoholic beverage tasting permit**

(a) A CHAB licensee may conduct an alcoholic beverage tasting or tasting dinner on its premises provided that it holds a consumer alcoholic beverage tasting permit issued by the Commission and provided further that:

1. The event is conducted and promoted in connection with an instructional program for alcoholic beverage products;
2. The event is limited to participants who purchase a ticket or are issued a complimentary ticket by a casino licensee;
3. Service of alcoholic beverages is limited to the following amounts per person:
  - i. No more than five ounces of any one malt alcoholic beverage, naturally fermented wine or sparkling wine at a tasting dinner;
  - ii. No more than four ounces of any one malt alcoholic beverage, or one and one-half ounces of any one naturally fermented wine or sparkling wine at a tasting; and
  - iii. No more than one-half ounce of any one fortified wine or distilled spirit at a tasting or tasting dinner; and

4. No later than five days in advance of the scheduled event, the CHAB licensee provides the Commission with a copy of each menu, program, or other written description of the tasting or tasting dinner event.

(b) Any supplier, manufacturer or wholesaler which holds an annual special permit for consumer tasting events issued by the Division of Alcoholic Beverage Control may hold a tasting or tasting dinner on the premises of a CHAB licensee provided that a copy of the permit is filed with the Commission no later than one day prior to the event.

Adopted, effective: 01/19/99

As amended, effective: 04/02/01

As amended, effective: 09/03/02

#### **19:50-5.4 Special disposal permits**

(a) A CHAB licensee may sell surplus alcohol in sealed containers at a price above cost to its employees who are 21 years of age or older, provided that the CHAB licensee holds a special disposal permit issued by the Commission and provided further that:

1. Such alcohol is sold for off-premise consumption only;
2. The CHAB licensee has filed the following with the Commission:
  - i. An application as set forth in N.J.A.C. 19:41-5.18;
  - ii. A list of the type and quantity of alcohol to be sold;
  - iii. Internal controls for conduct of the sale; and
  - iv. The job titles and a description of the duties of each employee involved in the conduct of the sale.
3. Only the alcohol specified in the application for the permit is sold;
4. The conduct of the sale is in accordance with internal controls approved by the Commission; and
5. The CHAB licensee compiles a list of each product purchased, the number of bottles purchased, the amount paid, and the name and

identification number of the employee who made the purchase, which list shall be maintained on the premises by the licensee and made available to the Commission or Division on request.

Adopted, effective: 01/19/99

#### **19:50-5.5 Donation permit**

(a) A licensed wholesaler or other person may donate alcoholic beverages to a qualified alcoholic beverage industry trade organization or a bona fide charitable organization for consumption at a social affair held on the premises of a CHAB licensee provided that such wholesaler or person holds a donation permit issued by the Commission.

(b) Notwithstanding (a) above, a licensed wholesaler or other person which holds an annual special permit issued by the Division of Alcoholic Beverage Control that authorizes the holder to donate alcoholic beverages to qualified industry trade organizations and bona fide charitable organizations may donate alcoholic beverages for consumption at a social affair held on the premises of a CHAB licensee provided that a copy of the permit is filed with the Commission no later than one day prior to the event.

Adopted, effective: 2/17/04

#### **19:50-5.6 Temporary miscellaneous contingency permits**

(a) The Commission may, for good cause shown, issue a temporary miscellaneous contingency permit for the purchase or sale of alcoholic beverages in, on or about the premises of a CHAB licensee in those circumstances where a CHAB license or permit is not expressly provided for by law.

(b) A temporary miscellaneous contingency permit may be granted by the Commission when the issuance of such permit would be appropriate and

consonant with the spirit of the Act, Title 33 of the Revised Statutes and Title 13 of the Administrative Code.

Recodified, effective: 2/17/04

### **19:50-5.7 Application**

(a) An application for any CHAB permit in this subchapter shall include the following, without limitation:

1. A completed CHAB Permit Application Form as set forth in N.J.A.C. 19:41-5.18; and

2. The fee specified in N.J.A.C. 19:41-9.7.

(b) Applications for CHAB permits shall be filed as follows:

1. For a social affair permit, at least 14 calendar days in advance of the scheduled event; and

2. For any other permit, at least 30 calendar days in advance of the scheduled event.

Adopted, effective: 01/19/99

Recodified, effective: 02/17/04

### **19:50-5.8 Permit conditions**

(a) The failure of any holder of a CHAB permit to comply with applicable provisions of the Act and Commission rules, New Jersey Alcoholic Beverage Law, Division of Alcoholic Beverage Control rules and municipal ordinances shall be deemed cause for denial of future applications for any CHAB permit issued by the Commission.

(b) The holder of a CHAB permit and the CHAB licensee on whose premises the event is held shall be jointly and severally liable for any violation of applicable provisions of the Act and Commission rules relating to the event.

(c) The holder of a CHAB permit shall not sample, sell, serve or deliver,

or allow, permit or suffer the sampling, sale, service or delivery of any alcoholic beverages directly or indirectly to or consumption by any person under the legal age at which a person is authorized to purchase and consume alcoholic beverages, nor to any person who is actually or apparently intoxicated.

(d) No more than 12 CHAB permits shall be issued to any one applicant during any 12-month period, and no more than 25 CHAB permits shall be issued in any calendar year for any premises.

(e) The Commission may require the holder of a permit to file a notarized inventory report within 10 days of the event. Failure to file an inventory report upon request shall be deemed cause for denial of future applications for any CHAB permit issued by the Commission. Such report shall be in a format prescribed by the Commission and may include the following information:

1. Permit number issued;
2. Name and address of the permittee;
3. Date and place of the event;
4. Type and number of any alcoholic beverage license held by the permittee;
5. Type of event for which the permit was issued;
6. Number of persons in attendance;
7. Type and quantities of alcohol purchased for the event, the dates purchased; and the place of purchase;
8. Type and quantity of alcoholic beverages remaining at the end of the event;
9. A description of the disposition of any alcohol remaining on hand at the end of the event;
10. A copy of any ticket and program used for the event; and
11. The date and the signature of a representative of the permittee.

Adopted, effective: 01/19/99

Recodified, effective: 02/17/04

