

# **Saskatchewan Alcohol Manufacturing Policy Manual**



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## CHAPTER I- GENERAL INFORMATION

### 1. Introduction

- a) Provincial laws typically define the rights and responsibilities of persons involved in the beverage alcohol industry in Saskatchewan. The Saskatchewan Liquor and Gaming Authority (SLGA), a corporate body created by law, issues permits to persons for the possession, sale, use, importation, or manufacture of beverage alcohol and regulates the operation of establishments for which a permit has been issued. Throughout this Manual, the terms “permitted establishment” or “establishment” refer to premises for which a permit has been issued by SLGA, unless there is something in the subject matter or context that is inconsistent.
- b) The operation of an establishment is governed by *The Alcohol and Gaming Regulation Act, 1997*, *The Alcohol Control Regulations, 2016*, and terms and conditions imposed on a permit or an endorsement. A manufacturer permit holder must also operate an establishment in accordance with municipal, provincial, and federal laws.
- c) The purpose of this Manual is to provide a manufacturer permittee and its employees with information respecting the permit. Specifically, this Manual highlights key provisions from *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016*, and documents SLGA’s policies and standard permit terms and conditions.
- d) This Manual does not replace *The Alcohol and Gaming Regulation Act, 1997* or *The Alcohol Control Regulations, 2016*. It is the responsibility of a manufacturer permittee and its employees to read and understand *The Alcohol and Gaming Regulation Act, 1997* and *The Alcohol Control Regulations, 2016*.
- e) The terms “producer” and “manufacturer” are used interchangeably throughout this manual.

### 2. How to Use This Manual

- a) Overall Organization
  - i) This Manual is organized into Chapters, as outlined in the Table of Contents. Section breaks assist in identifying the name and location of each of the chapters.
- b) New or Revised Policies
  - i) SLGA will periodically release new or revised policies between published editions of this Manual. These will be posted on the SLGA website in the form of standalone policies or bulletins. For the latest version of the Saskatchewan Alcohol Manufacturer Policy Manual, and standalone policies or bulletins, visit [www.slga.com](http://www.slga.com).

### 3. Permit Classes

- a) This Manual addresses manufacturer permits only, where the primary purpose of the establishment is the manufacture of beverage alcohol. SLGA also issues the following classes of commercial liquor permits. *For further information, refer to the Commercial Liquor Permittee Policy Manual slga.com.*
- i) Restaurant permit – Available where the primary business and source of revenue generated in the premises is the preparation and sale of food for consumption on the premises.
  - ii) Tavern permit – Available where the primary purpose of the establishment is the sale of beverage alcohol for the consumption on the premises. Establishments in this category include taverns and brew pubs.
  - iii) Special use permit – Available where the primary purpose of the establishment is the provision of facilities for recreational, sport, social or entertainment activities or the provision of public conveyances for the purpose of providing public transportation or delivery of beverage alcohol. Establishments in this category include private clubs, golf clubs, billiard halls, sports stadiums, theatre or concert premises, military messes, curling clubs, bus, limousine, home delivery, etc.
  - iv) U-Brew/U-Vin Operation permit – Available where the primary purpose of the establishment is the provision of a facility, ingredients and services to persons for the purpose of manufacturing beer, wine, cider or coolers for personal consumption in a private place or for consumption by others in a private place at no charge.
  - v) Direct to Consumer Delivery permit – Available where the primary purpose of the permittee is the delivery of approved beverage alcohol from an authorized Canadian jurisdiction directly to an individual for personal consumption at a private place.
  - vi) Retail Store permit – Available where the primary purpose of the permittee is the sale of beverage alcohol in closed containers for consumption off-site. Establishments in this category include standalone, integrated and transitional retail stores.

### 4. SLGA Responsibilities

- a) SLGA is responsible for the regulation of establishments and the distribution of beverage alcohol in Saskatchewan and:
- i) reviews permit and endorsement applications and renewals;
  - ii) issues permits and endorsements;
  - iii) inspects establishments;
  - iv) enforces terms and conditions, regulations, and legislation respecting the operation of establishments;
- b) educates manufacturer permittees about regulatory requirements for the purpose of maintaining

compliance in establishments. A manufacturer permittee or its employees may direct inquiries to SLGA by:

- i) calling 1-800-667-7565; or
- ii) contacting specific persons or branches of SLGA. *For a list of contact information refer to the Appendix, Section A1.*

## 5. Legislation, Regulations, Policies and Terms and Conditions

### a) *The Alcohol and Gaming Regulation Act 1997*

- i) *The Alcohol and Gaming Regulation Act, 1997* is the primary legal source that grants rights to and imposes requirements and responsibilities on a manufacturer permittee and its employees.
- ii) SLGA may impose sanctions on a manufacturer permittee where the manufacturer permittee fails to comply with *The Alcohol and Gaming Regulation Act, 1997*.

### *The Alcohol Control Regulations, 2016*

- iii) Regulations are also a form of law. They provide more details about topics addressed in an Act.
- iv) SLGA may impose sanctions on a manufacturer permittee where the manufacturer permittee fails to comply with *The Alcohol Control Regulations, 2016*.

### b) SLGA Policies

- i) SLGA has developed policies over the years in its regulation of establishments under *The Alcohol and Gaming Regulation Act, 1997* and *The Alcohol Control Regulations, 2016*. These policies have proven useful:
  - (a) in explaining to the public and manufacturer permittees how SLGA interprets and applies *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016*; and
  - (b) in promoting consistency in the decisions made by SLGA.
- ii) SLGA may impose sanctions on a manufacturer permittee where the manufacturer permittee fails to comply with SLGA's policies.
- iii) SLGA considers and applies its policies when determining permit refusals, suspensions, cancellations and administrative penalties. However, in unique or other appropriate circumstances, a manufacturer permittee will have the option to justify, to SLGA's satisfaction, that a policy need not be adopted or applied.
- iv) A manufacturer permittee may contact Liquor Licensing Services if the manufacturer permittee needs more information about SLGA's policies or wishes to make representations about the application of a policy to a particular situation. *For contact information refer to the Appendix, Section A1.*

### c) Terms and Conditions on a Permit or Endorsement

- i) SLGA may impose specific requirements respecting the operation of an establishment by setting terms and conditions on a permit or its endorsement.

- ii) SLGA may set terms and conditions that apply to:
  - (a) all classes of permits or endorsements;
  - (b) particular classes of permits or endorsements; or
  - (c) an individual permit or endorsement.
- iii) SLGA may impose sanctions on a manufacturer permittee where the manufacturer permittee fails to comply with any of the terms and conditions on a permit or its endorsement.



## CHAPTER II - PERMIT APPLICATION, RENEWAL AND SALE OF ESTABLISHMENT

### 1. Application Process – General Information

- a) A prospective or existing permittee who wants to apply for a manufacturer permit should consult this Manual. *For more information about the manufacturer permit, refer to Chapter III – Manufacturing Requirements.*
- b) To initiate an application for a permit, contact Liquor Licensing Services. *For contact information refer to the Appendix, Section A1.* Please be prepared to provide the following information:
  - i) The type of operation for the proposed establishment including the type of alcohol that will be produced (e.g. beer, spirits, wine, cider, refreshments);
  - ii) The location of the proposed establishment;
  - iii) Whether the establishment is currently operating under a liquor permit, and if so, whether the same type of operation is to be continued; and
  - iv) The name of the applicant (e.g. corporate name if permit is to be issued to a corporation, partnership name if issued to a partnership, etc.).
- c) The following supporting documents will be required to be submitted as part of a permit application.
  - i) Floor plan showing the layout and dimensions of proposed establishment if premises have not previously been permitted, or if changes are being made to the layout of the existing permitted establishment. An engineered/architectural floor plan (to scale) is ideal but not required;
  - ii) Document showing proof of the applicants right to occupy the establishment, with sufficient control to allow the applicant to comply with requirements (e.g. lease, sale agreement, certificate of title, etc.);
  - iii) Proof that your company is registered with Information Services Corporations (ISC) Corporate Registry (if applicable);
  - iv) Corporate information form, if the business is incorporated;
  - v) Municipal approval for each of the following, if applicable:
    - (a) Manufacturing facility;
    - (b) (On-site) store or (Off-site) off-sale;
    - (c) Hospitality Suite;
    - (d) Use of sewer system for product disposal.
  - vi) Letter from Excise Canada indicating the application process has started with them;
  - vii) Signed indemnification agreement (provided by SLGA);(The manufacturer indemnifies SLGA in the event of legal action against SLA in connection with beverage alcohol produces by the manufacturer.)
  - viii) Copy of the occupancy permit;

- ix) Personal History and Consent to Obtain and Release Information forms and Criminal Record Checks for:
- All shareholders with 20% or more shares (voting, non-voting, or combined), as well as all directors and officers in the applicant company (not required if company is traded on a public exchange);
  - All shareholders in a company with a beneficial ownership of 20% or more shares (voting, non-voting, or combined) in the applicant company (not required if either company is traded on a public exchange); and
  - Any person or corporation receiving 20% or more share of revenue from alcohol sales. If a third party is contracted to provide alcohol service under a management agreement that includes revenue/profit sharing of alcohol sales, or if there is a revenue/profit sharing of alcohol sales with a non-permittee, the third party and non-permittee are subject to the same good character requirements as the applicant company.
- SLGA reserves the right to require Consent to Obtain and Release Information forms and Criminal Record Checks from other individuals or entities that have financial interests in or exercise significant control over the operation of the permitted establishment, including but not limited to investors, associates, managers, management companies, franchisors, corporate executives, and shareholders that hold less than 20% of the overall ownership in the permitted establishment.
- x) Agreement outlining revenue/profit sharing of alcohol sales with a third party, if applicable (e.g. management agreement)
- xi) Copy of food menu for the hospitality suite (if applicable);
- xii) Copy of the building inspection report. This must be completed by a licensed building inspector for commercial property;
- xiii) Copy of the Serve It Right Saskatchewan (SIRS) for all owners, and managers, supervisors and other persons involved in the sale or service of alcohol;
- xiv) A declaration of the Batch Coding/Lot # Process to be used, refer to Chapter VII in the Commercial Permittee Manual for more information.
- xv) A completed and signed declaration by the applicant stating they are in compliance with other applicable legislation. SLGA will provide the form to the applicant;
- xvi) Any additional information requested from SLGA;
- xvii) It is required for applicants to have written policies for the following, but they do not need to be submitted to SLGA unless requested to do so:
- (a) Manufacturing process;
  - (b) Product Quality Assurance;
  - (c) Product Recall; refer to Chapter III, Manufacturing Requirements (part 6) and to the Product Recalls for Saskatchewan (SK) Craft Alcohol Producers on [slga.com](http://slga.com).
  - (d) Batch Coding/Lot # Process;
  - (e) Equipment Maintenance/Calibration;
  - (f) Pest Control;

- (g) Sanitation and Hygiene (Facility/Equipment/Staff); and
  - (h) Waste Disposal.
  - (i) WHMIS/MSDS sheets for all chemicals used in the facility.
- d) Hospitality Suite
- i) If the applicant intends to have a hospitality suite at their manufacturing site, they should indicate this at the time of application. *For more information on hospitality suites, refer to Chapter III, Section 14 in this Manual.*
- e) Applicants must ensure:
- i) Appropriate municipal zoning is in place to allow for the operation of the manufacturing site and (on-site) store and (off-site) off-sale, including the sale of product in closed containers;
  - ii) All relevant federal and provincial tax licenses have been obtained;
  - iii) Compliance with the requirements of all other federal, provincial, or other agencies involved in licensing and regulating various aspects of any beverage alcohol manufacturing operation including but not limited to:
    - (a) Canada Revenue Agency – Customs and Excise, Taxation Branch (GST and federal excise licence) – Business inquiries can be made at 1-800-959-5525 or at its website at [www.cra.gc.ca](http://www.cra.gc.ca). *For a list of contact persons, telephone numbers, and addresses, refer to the Appendix, Section A2.*
    - (b) Canadian Food Inspection Agency (production standards, packaging and labelling consumer products) – Inquiries can be made at 1-800-442-2342 or at its website at [www.inspection.gc.ca](http://www.inspection.gc.ca).
    - (c) Saskatchewan Ministry of Finance, Revenue Division (liquor consumption tax) – Inquiries can be made at 1-800-667-6102 or at its website at [www.sets.saskatchewan.ca/](http://www.sets.saskatchewan.ca/) Applicants may also wish to contact the following agencies to ensure compliance with any pertinent legislation and regulations:
  - iv) Electronic Commerce Council of Canada (bottling and case labelling to meet bar code regulations) – Inquiries can be made at 1-800-567-7084 or at its website at [www.gs1ca.org](http://www.gs1ca.org).
  - v) Ministry of Environment (industrial waste disposal) – Inquiries can be made at 1-800-567-4224 or at its website at [www.saskatchewan.ca/residents/environment](http://www.saskatchewan.ca/residents/environment).
- f) Liquor Licensing Services reviews an application for a permit and the supporting documents by considering the following:
- i) Compliance with preliminary permit restrictions or pre-conditions;

- ii) Eligibility and suitability of the applicant or those individuals associated with the applicant;
  - iii) Suitability of the location, construction, equipment, furnishings and/or operation of the proposed establishment;
- g) In cases where there has been o permitted premises or retail store or manufacturer in a municipality within the past year, *The Alcohol and Gaming Regulation Act, 1997* requires SLGA to advise the municipality upon receiving an application. The municipality then has 60 days to notify SLGA that it has passed a bylaw or is referring the bylaw to a vote. No action is required by the applicant to carry out this process, but SLGA is unable to proceed with the application until it is completed.
- h) SLGA requires an updated criminal history information from the Canadian Police Information Centre for all owners and significant shareholders at the time of application and permit renewal.
- i) Permittees are required to report to SLGA all changes to criminal history information that take place during the term of a permit. SLGA may also periodically obtain updated criminal history information from the Canadian Police Information Centre for all owners and significant shareholders.
- j) A manufacturer permittee who wants to obtain a different liquor permit to sell beverage alcohol under specific circumstances (e.g. tavern permit) should consult the Commercial Liquor Permittee Policy Manual to obtain information about the particular permit requested.
- i) To apply for a permit, contact Liquor Licensing Services. *For contact information, refer to the Appendix, Section A1.*

## 2. Application, Permit and Renewal Fees

- a) An applicant must pay a non-refundable permit application fee. The application fee does not apply to the renewal of the permit.
- b) The applicant must also pay an annual permit fee, for each year that the permit is in force. The permit is issued for three years. The fee may be paid in annual installments, if desired. The annual permit fee must be paid before the granting of the permit or its renewal.
- c) Application, Permit and Renewal Fees can be found on SLGA's website at: <https://www.slga.com/~link.aspx?id=3D3E9863742A444C9BF4D08B9CEBB9F9&z=z>
- d) A manufacturer must ensure a copy of the permit is posted in a prominent position in the premise where the permit is issued.

### 3. Change of Ownership, Relocation of Existing Establishment, Transfer of Permit

#### a) Change of Ownership

- i) A purchaser or lessor of an existing manufacturing establishment must apply for a new permit before manufacturing and providing beverage alcohol sales or service in the establishment. The parties should provide sufficient time in the transaction to allow the purchaser or lessor to obtain a new permit before taking over the establishment's operation.
- ii) No floor plans are required unless the applicant proposes to change the layout of the establishment.
- iii) If a manufacturer permittee is a business corporation or any other form of organization (e.g. partnership, non-profit corporation, etc.), any proposed changes to its executive management (e.g. officers, directors, etc.) or ownership/membership (partners, shareholders, etc.) must be reported immediately to Liquor Licensing Services. In most cases, the proposed changes will require an evaluation of an individual's character for the purpose of *The Alcohol and Gaming Regulation Act, 1997*.
- iv) If this procedure is not followed, the manufacturer permittee risks delays in having their permit renewed. SLGA may refuse renewal until it completes an evaluation of the individual's character. *To contact Liquor Licensing Services about this issue, refer to contact information in the Appendix, Section A1.*

#### b) Relocation of Establishment

- i) The manufacturer permittee must make a new application and receive a permit in the new location before manufacturing and providing sales or service of beverage alcohol in that location. SLGA will inspect the premises as part of the application process, so the manufacturer permittee should allow sufficient time for this to take place before the new location can operate.

#### c) Transfer of Permit

- i) SLGA may authorize the transfer of a manufacturer permit for a transfer fee of \$105.00 in any of the following circumstances:
  - (a) If a partner withdraws from a partnership and the remaining partners apply for a transfer of the permit;
  - (b) If the manufacturer permittee is a sole proprietor who establishes a corporation in which he or she is the sole officer, director and shareholder and applies to SLGA for a transfer of the permit to the corporation; If the manufacturer permittee is composed of persons in a partnership who establish a corporation in which some or all of them are the sole officers, directors and shareholders and they apply to SLGA for a transfer of the permit to the corporation;
  - (c) If the manufacturer permittee is a corporation, the officers, directors

and shareholders of which establish a new corporation in which some or all of them are the sole officers, directors and shareholders and they apply to SLGA for a transfer of the permit to the new corporation. In a case where the new corporation has shareholders that were not involved in the original permitted corporation, SLGA may consider a transfer only if less than 20% of the shares of the new corporation are held by the new shareholder(s).

- (d) If the manufacturer permittee is a corporation, the sole officer, director and shareholder of which becomes a sole proprietor and applies to SLGA for a transfer of the permit from the corporation;
  - (e) If the manufacturer permittee is a corporation, some or all of the officers, directors and shareholders of which form a partnership and apply to SLGA for a transfer of the permit to the partnership;
  - (f) If a trustee in bankruptcy or a court-appointed receiver acquires the business of a manufacturer permittee as trustee in bankruptcy or as court appointed receiver and in that capacity applies to SLGA for a transfer of the permit from the permittee;
  - (g) If a mortgagee, franchisor or lessor takes lawful possession of the permitted establishment and applies to SLGA for a transfer of the permit from the mortgagor, franchisee or lessee, as the case may be.
  - (h) Appropriate legal documentation will be required in all cases before a permit will be transferred. In cases involving a change in ownership structure, this documentation may include a sale of shares agreement in addition to the updated corporate information form.
- ii) SLGA shall not grant a transfer of a manufacturing permit if:
- (a) At the time of the application, SLGA is of the opinion that it would not issue a permit to the applicant were they applying for a permit at that time;
  - (b) SLGA proposes to suspend or cancel the manufacturer permit or any existing reviewable endorsement to the manufacturer permit, unless the suspension is overturned by the Liquor and Gaming Licensing Commission or served by the existing manufacturer permittee;
  - (c) SLGA imposes new terms and conditions on the manufacturer permit or any reviewable existing endorsement;
  - (d) SLGA assesses a penalty on the existing manufacturer permittee pursuant to Section 39.1 of *The Alcohol and Gaming Regulation Act, 1997*;
  - (e) The good character requirement had not been met; or
  - (f) The permit was surrendered or is no longer in effect.
- iii) Death of Permittee

- (a) On the death of a manufacturer permittee who is an individual (sole proprietor), a permit continues in force until it expires. The rights and responsibilities associated with the manufacturer permit must be exercised only by the trustee, executor, or administrator of the estate of the deceased manufacturer permittee, or a manager of the establishment approved by SLGA.

If desired by the trustee, executor, or administrator of the estate of the deceased permittee, the permit may be transferred to that legal representative of the estate.

Appropriate legal documentation is required before the new permit is issued. There will not be a fee for this permit when first issued however standard fees will apply on renewal of the permit.

#### 4. Permit Renewal

- a) A permit expires on the date specified on it as the expiry date. A manufacturer permittee who has not renewed their permit on or before its expiry date is prohibited from manufacturing and selling beverage alcohol. It is an offence to manufacture, sell or serve beverage alcohol in an establishment without a valid permit.
- b) Liquor Licensing Services sends an application or notice for permit renewal approximately 30 days before the permit's expiry date. A manufacturer permittee should immediately contact Liquor Licensing Services if the notification for permit renewal is not received. *For contact information refer to the Appendix, Section A1.*
- c) Liquor Licensing Services must receive a completed renewal application, the appropriate fees and criminal record checks before it may consider and, if appropriate, renew the permit. Applications must be submitted 30 days before the permits expire to allow time for processing.
- d) SLGA may refuse to renew a permit for several reasons, including the following:
- i) SLGA has evidence that the manufacturer permittee is not of good character.
  - ii) The character of the manufacturer permittee's employees and/or associates is in question
  - iii) The character of any person who is a shareholder, partner, officer or director of the manufacturer permittee is in question.
  - iv) The manufacturer permittee has failed to comply with the rules governing the establishment, and the establishment's compliance history is poor.
  - v) The manufacturer permittee has changed the layout of the establishment without SLGA's approval.
  - vi) The form of organization previously holding the permit has changed (e.g. sole

- proprietor becomes business corporation, etc.).
- vii) The manufacturer permittee is an organization (e.g. partnership, business or non-profit corporation, etc.) and it has changed its executive management (e.g. officers, directors, etc.) or ownership/membership (partners, shareholders, etc.) without prior notification to Liquor Licensing Services. The changes require an evaluation of an individual's character for the purpose of *The Alcohol and Gaming Regulation Act, 1997*.
- e) If SLGA refuses to renew a permit, the manufacturer permittee may within fifteen (15) calendar days after receiving notice of SLGA's decision request a review of this decision by the Liquor and Gaming Licensing Commission. The Commission is a body created by law which functions independently from SLGA. On a request for review, the Commission will hold a hearing concerning SLGA's refusal to renew a permit. If an oral hearing is held, SLGA, the manufacturer permittee, the lawyers for the parties, and the public may be present. Generally, a hearing resembles a court proceeding. Based on the evidence at the hearing and any written submissions, the Commission makes its ruling and communicates it to all parties. The Commission will either grant or deny the renewal of the permit.
- f) Non-renewal
  - i) When a manufacturer permit expires and is not renewed, SLGA may do one of the following:
    - (a) Order all beverage alcohol owned by the manufacturer permittee to be delivered to SLGA.
    - (b) Order all beverage alcohol owned by the manufacturer permittee to be secured at the facility where the beverage alcohol is stored. The beverage alcohol may not be removed from the facility except at the direction of SLGA.
  - ii) After the beverage alcohol is returned to SLGA or secured at the storage facility, SLGA will assess the condition of the beverage alcohol and may do one or more of the following:
    - (a) In the case of beverage alcohol products listed with SLGA's Distribution Centre, repurchase some or all of the beverage alcohol at current prices;  
or
    - (b) Order, in a manner deemed satisfactory by SLGA, the disposal of any beverage alcohol not repurchased.

## 5. Changes to the Layout of an Existing Establishment



- a) Prior to commencing any changes to the layout and/or renovations to the manufacturing facility and all permitted areas, the manufacturer permittee is required to ensure permitting requirements continue to be met. Manufacturer permittees should consult with SLGA prior to making changes or risk additional costs or delays with approvals. *For contact information of the Liquor Licensing and Inspections Services Branch, refer to the Appendix, Section A1.*

**6. Reporting Changes to Permittee's Organizational Structure (Officers, Directors, Shareholders, etc.)**

- a) If a permittee is a private corporation or other form of organization (e.g. partnership, non-profit organization, etc.), any proposed changes to its executive management (officers, directors, etc.) or ownership/membership (partners, shareholders, etc.) must be reported immediately to Liquor Licensing Services. The proposed changes require an evaluation of an individual's character for the purpose of *The Alcohol and Gaming Regulation Act, 1997*.
- b) If a permittee fails to follow this procedure, the permittee risks delays in having their permit renewed. At the time of permit renewal, SLGA may refuse renewal until it completes an evaluation of the individual's character. *To contact Liquor Licensing Services about this issue, see a list of contact persons, telephone numbers, and addresses in the Appendix, Section A1.*

**7. Mandatory Server Intervention Training**

- a) Background
  - i) Serve It Right Saskatchewan (SIRS) is a social responsibility training course provided by the Saskatchewan Tourism Education Council (STEC) that is designed to reduce underage drinking, over-consumption of beverage alcohol, impaired driving, violence, and other alcohol-related harms.
  - ii) Manufacturers that have an (on-site) store, an (off-site) off-sale or hospitality suite endorsements, or that provide samples to customers on or off their permitted premises, or provide direct delivery to consumers, must ensure that owners and any employees who are involved in the sale and service of beverage alcohol are certified through SIRS.
- b) Who Must Complete Training
  - i) If a manufacturer permittee does not sell or serve beverage alcohol directly to the public, they are not required to complete SIRS training. If they do sell or serve

beverage alcohol directly to the public:

- (a) Owners of a manufacturer must obtain their SIRS certification prior to the issuance of the permit;
  - (b) Employees must obtain their SIRS certification prior to starting work; and
  - (c) Owners of a manufacturer must ensure its employees have completed their SIRS certification prior to the employee starting work.
- ii) SLGA may hold renewal of a permit pending completion by the owner of SIRS training.
- c) The roles that require SIRS certification include, but are not necessarily limited to:
- i. All owners with a 20% or greater interest in a permitted establishment;
  - ii. Managers and supervisors;
  - iii. Bartenders;
  - iv. Servers;
  - v. Hosts/hostesses;
  - vi. Security;
  - vii. Offsale (on and off-site) store sales clerks;
  - viii. Manufacturer's agents providing samples; and
  - ix. Home delivery staff.
- d) Positions that are not directly involved with selling, serving, or delivering beverage alcohol, such as kitchen staff, bus persons, and cleaning staff, are not required to hold SIRS certification.
- e) Where the owner of a manufacturer is a corporation, the requirement for SIRS certification applies to all officers and directors of the corporation, and to any shareholders who hold 20% or more of shares, unless waived by SLGA. Owners of a manufacturer who have no involvement in the decision-making or operation of the business do not need to be certified.
- f) Owners of a manufacturer and its managers must complete the SIRS course (either online or in person) and pass an examination in order to be certified in Saskatchewan. Typically, employees will also be certified through completion of the SIRS course; however, STEC will also grant SIRS certification to employees who hold current certificates for the following courses if they were obtained while working outside Saskatchewan:
- i. Alberta - ProServe
  - ii. British Columbia - Serving It Right
  - iii. Manitoba - Serving It Safe
  - iv. New Brunswick - It's Good Business
  - v. Newfoundland and Labrador - It's Good Business
  - vi. Nova Scotia - It's Good Business

- vii. Ontario - Smart Serve
- viii. Prince Edward Island – It’s Our Business
- ix. Quebec - Service in Action/Action Service
- x. Yukon - Be a Responsible Server

- g) Manufacturer permittees that would like to use other training courses tailored to their specific business model should contact Inspection Services to find out whether the course can be accepted as equivalent to SIRS certification. *For contact information for Inspection Services, refer to the Appendix, Section A1.*
- h) SIRS certification is valid for five years. Recertification should be completed prior to the expiry of the existing certificate.
- i) Record Keeping
  - i) Manufacturer permittees are required to maintain and make available to SLGA on demand records of staff SIRS certification. This documentation must include:
    - (a) The name of the individual trained;
    - (b) The certificate number;
    - (c) The date the certificate was issued; and
    - (d) A copy of the certificate (where possible).

*For more information about the SIRS course, visit the STEC website at <https://business.tourismsaskatchewan.com/courses-and-workshops/serve-it-right-saskatchewan> or refer to the list of contact information in the Appendix, Section A2.*

## 8. Good Character

- a) SLGA shall not issue a permit to an applicant if there is evidence that SLGA considers credible and reliable that the applicant is not of good character.
- b) In determining good character, SLGA may consider the following:
  - i) Any evidence SLGA considers relevant respecting the applicant’s reputation, past conduct, integrity, financial history or competence;
  - ii) Any other evidence that SLGA considers relevant.
- c) In determining whether an applicant is of good character, SLGA may consider:
  - i) The ownership structure and persons who have interests in the applicant;
  - ii) Any person who has the power to influence, directly or indirectly, decisions of the applicant; and
  - iii) Any other person that SLGA determines to have direct or indirect control of the applicant.
- d) Any person that is determined by SLGA to be a person mentioned in (c) shall provide to SLGA the

information required by SLGA to assess the good character of the person.

- e) For the purposes of subsection (d), a person is interested in an applicant if, in SLGA's determination, the person:
  - i) Has an influential level of beneficial or legal ownership in the applicant or in the applicant's business; or
  - ii) Is a key person with the power to influence, directly or indirectly, the applicant or the applicant's business.

## 9. Sufficient Control

- a) SLGA shall not issue a permit to an applicant if, in SLGA's opinion, the applicant does not have a sufficient degree of control over the premises for which the permit will be issued to allow the applicant to comply with the requirements set out in the Act, the regulations and any terms and conditions that will be imposed on the permit.
- b) At any time after a permit is issued, SLGA may suspend or cancel the permit if, in SLGA's opinion, the permittee does not have a sufficient degree of control over the premises where the permit will be issued to allow the applicant to comply with the requirements set out in the Act, the regulations and any terms and conditions that are or that will be imposed on the permit.

## 10. Revenue/Profit Sharing

- a) A permittee is allowed to share revenue/profit from alcohol sales with a person that is not an owner of the permitted establishment provided there is a written agreement between the parties. This could be in the form of a management agreement.
- b) The permittee is to provide SLGA with a copy of any agreement it has entered into for the sharing of revenue/profit from alcohol sales. SLGA is to be informed of any changes to the agreement.
- c) The 3<sup>rd</sup> party that is receiving a 20% or more share of revenue from alcohol sales will be subject to the same good character requirements as the applicant.
- d) The permit holder is responsible for and will be held accountable for the actions of the third party.

## 11. References

The information in this Chapter is a summary of the policies, standard terms and conditions imposed on a permit, and the key provisions of *The Alcohol and Gaming Regulation Act, 1997* and *The Alcohol Control Regulations, 2016*. For convenience, this Section identifies the key provisions of *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016* for the corresponding topics in this Chapter.

Application Process – General Information

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 47, 49, 51, 56, 57, 59, 59.1, 60, 61, 61.2, 62, 63, 64, 136, 137.
- *The Alcohol Control Regulations, 2016* – Sections 60, 62, 77, 78, 79.

Application, Permit and Renewal Fees

- *The Alcohol and Gaming Regulation Act, 1997* – Section 41
- *The Alcohol Control Regulations, 2016* – Section 63

Change of Ownership, Relocation of an Existing Establishment, Transfer of Permit

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 42, 47, 57, 59, 59.1, 60, 61, 61.2, 62, 63, 64, 69, 69.1, 136, 137.
- *The Alcohol Control Regulations, 2016* – Sections 60, 62, 65, 77, 78, 79.

Permit Renewal

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 30, 47, 48, 54, 59, 59.1, 62, 65, 136, 137.
- *The Alcohol Control Regulations, 2016* – Section 64.

Changes to the Layout of an Existing Establishment

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 44, 56, 70.

Reporting Changes to Permittee’s Organizational Structure (Officers, Directors, Shareholders, etc.)

- *The Alcohol and Gaming Regulation Act, 1997* – Section 59, 59.1, 60, 136.

Mandatory Server Intervention Training

- *The Alcohol and Gaming Regulation Act, 1997* – Section 7

## CHAPTER III - MANUFACTURING REQUIREMENTS

### 1. Primary Business

- a) A manufacturer permit may be issued where the primary business to be conducted on the premise is:
  - i) the manufacture of craft alcohol by fermentation or distillation;
  - ii) the manufacture of beverage alcohol by fermentation or distillation; or
  - iii) the bottling of beverage alcohol.
- b) A manufacturer may produce more than one product type of beverage alcohol (e.g. beer, spirits, wine, cider, refreshments) with approval from SLGA. The manufacturer is to adhere to the general requirements of a manufacturer permit as well as the specific requirements described in this Chapter for each type of liquor produced and any applicable requirements in other chapters of this manual.
- c) In cases where a manufacturer produces a beverage alcohol product type, but does not meet the requirements of a craft alcohol producer for that product, the product type is subject to the rules and requirements for a regional or national manufacturer, as may be appropriate.
- d) For the purpose of meeting the requirements of the permit, the manufacturing process is to take place at the location specified on the permit.
- e) Prospective and existing manufacturers who are constructing a new manufacturing facility are encouraged to contact SLGA's Liquor Licensing and Inspections Branch as early in the process as possible. The prospective or existing manufacturer may request a consultation with SLGA respecting their new facility. At the discretion of SLGA, prospective and existing manufacturers may be required to go through a consultation with SLGA. *For contact information, refer to the Appendix, Section A1.*
- f) For the purposes of this manual:
  - i) "**affiliated**" means the definition found in *The Business Corporations Act, 2021* (Saskatchewan)
  - ii) "**associated**" means the definition found in *The Business Corporations Act, 2021* (Saskatchewan)
  - iii) "**beer**" means a beverage obtained by the alcoholic fermentation of an infusion or decoction of barley, malt, or hops or of any similar product in drinkable water pursuant to Section 2, *The Alcohol and Gaming Regulation Act, 1997* and specified in the *Canada Food and Drug Regulations*. Other flavouring agents may be added before or after fermentation to create the final product, but the product is to possess the aroma, taste, and character commonly attributed to beer. The *Federal Excise Act* limits the production of beer for direct consumption to not more than 11.9% absolute ethyl alcohol by volume.

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- iv) **“bottling”** means the transfer of beverage alcohol lawfully made by another person into a container such as a bottle, can, box or other receptacle used for holding beverage alcohol and sealing and labelling the container of beverage alcohol and any packaging that holds the container. This includes any blending of the beverage alcohol, with flavouring or other beverage alcohol, before bottling of the beverage alcohol.
  - v) **“bottling manufacturer”** means a holder of a manufacturer permit issued pursuant to clause 28(1)(c) of *The Alcohol Control Regulations, 2016*, engaging in bottling as specified in the definition above.
  - vi) **“cider”** means the product of the alcoholic fermentation of apple juice with an alcohol by volume range from 2.5% to 13% and as specified in the Canada *Food and Drug Regulations*.
  - vii) **“craft alcohol”** means beverage alcohol that is manufactured by fermentation or distillation in accordance with the policies outlined for craft breweries, craft distilleries, craft wineries, craft cideries and craft refreshments producers herein and does not include alcohol manufactured pursuant to a bottling manufacturer permit issued pursuant to clause 28(1)(c) of *The Alcohol Control Regulations, 2016*.
  - viii) **“craft alcohol producer”** means a manufacturer permittee who has been issued a permit in accordance with clause 28(1)(a) of *The Alcohol Control Regulations, 2016* that produces craft alcohol manufactured by fermentation or distillation in Saskatchewan under the processes set out in this policy.
  - ix) **“craft alcohol (off-site) off-sale”** means a store operated by the craft alcohol producer in accordance with an off-sale endorsement issued pursuant to Section 44 of *The Alcohol Control Regulations, 2016* and this policy.
  - x) **“craft alcohol (on-site) store”** means a store operated by the craft alcohol producer in accordance with Section 28 of *The Alcohol Control Regulations, 2016* and this policy.
  - xi) **“craft brewery”** means a craft alcohol producer that achieves annual global production levels from 50 to 30,000 hectolitres (inclusive) of beer annually within the calendar year.
  - xii) **“craft cidery”** means a craft alcohol producer that achieves annual global production levels from 2,000 litres and 350,000 litres (inclusive) of cider annually within the calendar year. In order to manufacture cider within Saskatchewan, a wine permit is required.
  - xiii) **“craft distillery”** means a craft alcohol producer that achieves annual global production levels from 250 to 350,000 litres (inclusive) of finished spirits product annually within the calendar year.
  - xiv) **“craft refreshments producer”** means a craft alcohol producer that achieves annual global production levels from 2,000 and 350,000 litres (inclusive) of refreshment beverages annually within the calendar year.
  - xv) **“craft winery”** means a craft alcohol producer that achieves annual global production levels 2,000 and 350,000 litres (inclusive) of wine annually within the calendar year.
  - xvi) **“crowler”** means a non-refillable container, typically made from aluminum, with a traditional sealed lid or resealable cap. The intended use is for the crowler to be filled at a permitted establishment and transported for off-site consumption.
  - xvii) **“farmers’ market”** means an SLGA approved market located in Saskatchewan where items available for sale are predominately agricultural produce and food products;

- there is a board of directors or advisory oversight; the market is approved by the Saskatchewan Health Authority and municipality; and the market occurs on a regularly scheduled basis for at least three months. To have a farmers' market placed on the approved farmers' market list please contact Liquor Licensing. *For contact information refer to the Appendix, Section A1.*
- xxviii) **“finished product”** means beverage alcohol that is ready for sale in whichever format (container type) used.
  - xxix) **“fortification”** means adding a distilled spirit to another type of beverage alcohol; increasing the alcohol by volume.
  - xx) **“global production”** means the total volume of finished product produced by a manufacturer, including production by associated/affiliated companies and contracted production from all its manufacturing sites whether located in Saskatchewan or elsewhere, in each category of product (beer, spirits, wine, cider, refreshments).
  - xxi) **“growler/howler”** means a refillable container, typically made from glass or stainless steel. The intended use is for the growler to be filled at a permitted establishment and transported for off-site consumption.
  - xxii) **“hospitality suite”** means a venue adjacent to the manufacturing facility where the manufacturers' beverage alcohol may be sampled and/or sold for on-table service.
  - xxiii) **“infusion”** means the addition of external ingredients/flavouring agents into the manufacturing process of pre-existing alcohol.
  - xxiv) **“manufacturer permittee”** means a craft, regional, national or bottling producer, located in the Province of Saskatchewan, to whom a permit is issued.
  - xxv) **“maximum production limit”** means the maximum annual volume of production set out for the category of craft alcohol product.
  - xxvi) **“mead (honey wine)”** means an alcoholic beverage obtained by the fermentation of honey, yeast and water as specified for honey wine in the Canada *Food and Drug Regulations*. External ingredients/flavouring can be added. In order to manufacture mead within Saskatchewan, a wine permit is required.
  - xxvii) **“minimum production requirement”** means the minimum annual volume of production set out for the category of craft alcohol product.
  - xxviii) **“national brewery”** means a beverage alcohol producer that achieves annual global production levels exceeding 400,000 hectolitres of beer.
  - xxix) **“national cidery”** means a beverage alcohol producer that achieves annual global production levels exceeding 350,000 litres of cider.
  - xxx) **“national distillery”** means a beverage alcohol producer that achieves annual global production levels exceeding 350,000 litres of spirits.
  - xxxi) **“national refreshments producer”** means a beverage alcohol producer that achieves annual global production levels exceeding 350,000 litres of refreshment beverages.
  - xxxii) **“national winery”** means a beverage alcohol producer that achieves annual global production levels exceeding 350,000 litres of wine.
  - xxxiii) **“refreshment beverage”** means a base alcohol product manufactured by the producer (i.e. beer, spirits, wine or cider) that has been blended with other ingredients resulting in a finished ready to drink product with an alcohol by volume not exceeding 14.5%.



Refreshment beverages may be carbonated. Refreshment beverages are considered unstandardized products under the Canada *Food and Drug Regulations*.

- xxxiv) **“regional brewery”** means a beverage alcohol producer that achieves annual global production levels from 30,001 to 400,000 hectolitres (inclusive) of beer.
- xxxv) **“spirits”** means a beverage manufactured by a process of distillation and having more than 10% alcohol by volume pursuant to Section 2, *The Alcohol Control Regulations, 2016* and specified in the Canada *Food and Drug Regulations*.
- xxxvi) **“third party warehouse facility”** means a warehouse facility owned and operated by a non-liquor permittee in Saskatchewan.
- xxxvii) **“wine”** means an alcoholic beverage obtained by the fermentation of natural sugar content of fruits or other agricultural products containing sugar, including honey and milk pursuant to Section 2, *The Alcohol and Gaming Regulation Act, 1997* and specified in the Canada *Food and Drug Regulations*.

## 2. Facility Standards

- a) A manufacturer permit may be issued and continue to remain in effect only if the manufacturer’s location, construction, and equipment are suitable for the purpose of manufacturing beverage alcohol. A manufacturing facility and other premises relevant to the manufacturing permittee must consistently meet the standards set out in *The Alcohol and Gaming Regulation Act, 1997*, *The Alcohol Control Regulations, 2016*, the terms and conditions of the permit, and SLGA policy.
- b) It is the responsibility of the manufacturer to ensure the manufacturing facility and other premises relevant to the manufacturer permittee are in compliance with the facility standards set out in building codes, health and fire regulations, and other relevant federal, provincial, and municipal legislation and regulations. SLGA Liquor Licensing and Inspections Services Branch will only issue a permit once satisfied that all requirements have been met. Additional information or proof of compliance from an applicant or permittee may be requested at the discretion of SLGA Liquor Licensing and Inspections Branch.
- c) Manufacturer permittees using pressure vessels may require licensing by the Technical Safety Authority of Saskatchewan. *For contact information for the Technical Safety Authority of Saskatchewan, refer to the Appendix, Section A2.*
- d) The manufacturer permittee is responsible for ensuring their manufacturing facility and the permitted establishment are appropriately secured and has monitoring that is satisfactory to SLGA. Typically this is achieved by ensuring all entrances to the facility are locked and 24/7 monitoring is in place.
- e) Prior to commencing any renovations to the manufacturing facility and to the permitted establishment, the manufacturer is required to contact the SLGA Liquor Licensing and Inspections Branch for approval to ensure permitting requirements are continued to be met (i.e. structural changes, new manufacturing equipment). *For contact information, refer to the Appendix, Section A1.*

### 3. Quality Assurance

- a) The manufacturer permittee is responsible for compliance with SLGA quality assurance policies and programs.
- b) The manufacturer permittee is responsible for ensuring that:
  - i) All materials used to produce beverage alcohol comply with SLGA standards, health standards, the *Canada Food and Drug Act*, and its regulations, the *Safe Food for Canadians Act* and its regulations, and any other relevant legislation;
  - ii) The beverage alcohol produced by the manufacturer permittee complies with SLGA and health standards, and is produced in accordance with the standards established under the *Canada Food and Drug Act*, its regulations, the *Safe Food for Canadians Act* and its regulations, and any other relevant legislation; and
  - iii) The beverage alcohol produced by the manufacturer is fit for human consumption.
- c) The manufacturer permittee must ensure its products adhere to the Canadian Standard of Alcohol by Volume tolerances outlined by Canadian Association of Liquor Jurisdictions. The alcohol by volume tolerances are:
  - i) Table Wine:  $\pm 1.0\%$  for all table wines regardless of alcohol content
  - ii) Fortified Wine (e.g., Ports, Sherries):  $\pm 0.5\%$
  - iii) Cider:  $\pm 0.5\%$  for declared alcohol in the range of 2.5% to 5.5%,  $\pm 1.0\%$  for declared alcohol in the range of 5.6% to 13.0%
  - iv) Beer:  $\pm 0.5\%$  for declared alcohol in the range of up to 5.5%,  $\pm 1.0\%$  for declared alcohol of 5.6% or greater
  - v) Spirits:  $\pm 0.3\%$
  - vi) Miscellaneous products (e.g. coolers, ready-to-drink):  $\pm 0.5\%$
  - vii) For unstandardized products (e.g. sake, miscellaneous liquors), the ABV tolerance is  $\pm 0.5\%$ .
  - viii) For spirits containing macerated/parts of fruit or plants, the alcohol by volume tolerance is  $\pm 1.5\%$
- d) The Liquor Control Board of Ontario *Guidelines for Chemical Analysis* document outlines the chemicals that are tested when craft alcohol producers submit products for a Certificate of Analysis. The document also specifies the maximum concentration allowed for each chemical, which is Canadian industry-standard. The LCBO document is available at the following link: <https://www.doingbusinesswithlcbo.com/content/dbwl/en/basepage/home/new-supplier-agent.html>
- e) On request by SLGA, the manufacturer permittee shall provide product samples to SLGA for purposes of independent testing in a SLGA approved laboratory for quality assurance purposes. Manufacturers are responsible for the costs of quality assurance testing.
- f) Quality Assurance Policy for Direct Distribution by Craft Alcohol Producers:

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- i) Craft alcohol producers who direct distribute their products in Saskatchewan are required to abide by the following:
- (a) For current craft alcohol producers: A valid Certificate of Analysis must be provided to SLGA for a minimum of one active product from each alcohol product line (that is beer, spirits, wine, cider, refreshments), every 24 months. Certificates of Analysis are considered valid for 24 months from the date the laboratory analysis was completed. Craft alcohol producers are responsible for ensuring SLGA has a valid Certificate of Analysis on file. Certificate of Analysis' should be sent to [www.skcraft@slga.com](mailto:www.skcraft@slga.com).
  - (b) For new craft alcohol producers: A valid Certificate of Analysis must be provided to SLGA for the first five distinct products produced by the craft alcohol producer (for each product line) before each product can be sold.
  - (c) SLGA will review the Certificate of Analysis to confirm compliance and then provide the new craft alcohol producer with written authorization to begin selling that product.
  - (d) The new craft alcohol producer does not need to submit all five Certificates of Analysis before beginning to sell products that have been approved by SLGA for sale.
  - (e) Once these requirements are met, the producer will also need to meet the requirements outlined above for the current craft alcohol producers.
- g) Policy clarification:
- i) Craft alcohol producers who distribute product through the SLGA Distribution Centre, will have submitted a valid Certificate of Analysis to SLGA for each product that is core listed. This Certificate of Analysis meets the requirement of (f) (i) above.
  - ii) Craft alcohol producers are required to submit the Certificate of Analysis laboratory application, along with the anticipated alcohol by volume to SLGA for the product sent away for laboratory testing, prior to the craft alcohol producer obtaining and submitting the results of the Certificate of Analysis to SLGA.
  - iii) SK craft alcohol producers must submit a Certificate of Analysis for a different product every 24 months; if the producer only manufactures one product in a product line, they may submit a Certificate of Analysis for the same product. Different vintages are not considered to be different products.
  - iv) For the purposes of these requirements, a distinct product is considered to contain different ingredients and/or alterations of the manufacturing process of the product. It cannot simply be a differently sized or labelled product.
  - v) Current craft alcohol producers who begin producing a new product line (that is beer, spirits, wine, cider, refreshments) must abide by the requirements outlined above for new craft alcohol producers for the new product line.
  - vi) Current craft alcohol producers who open a new manufacturing facility (thus requiring a new manufacturers permit), must abide by the requirements outlined above for new craft alcohol producers. SLGA may in its sole discretion, waive some or all of the
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requirements. When evaluating whether to waive some or all of these requirements, SLGA will assess based on information that may include:

- (a) Changes to manufacturing processes between the old and new facilities;
  - (b) Changes to ownership and staff;
  - (c) History of regulatory compliance;
  - (d) History of Certificates of Analysis submitted to SLGA;
  - (e) Quality assurance protocols in place at the new facility; and
  - (f) Any other information determined to be relevant.
- h) Acceptable Laboratories:
- i) The laboratory must be pertinent to the product being tested.
  - ii) A Certificate of Analysis from one of the following sources is acceptable:
    - (a) Canadian Vintners Alliance (VQA). *VQA certificates will be accepted only for VQA-certified products. Non-VQA products must be tested at a lab accredited to ISO/IEC 17025 standards;*
    - (b) Liquor Control Board of Ontario (LCBO);
    - (c) Société des alcools du Québec (SAQ);
    - (d) Independent laboratories (pre-approval required from SLGA). *Independent laboratories are required to have a quality management system accredited to the ISO/IEC 17025 standard, and must be accredited in the analysis of alcoholic beverages and must conduct testing in compliance with the parameters established by the LCBO's Quality Assurance Departments (reference LCBO Guidelines for Chemical Analysis).*
  - iii) Certificates of Analysis are to be emailed to [skcraft@slga.com](mailto:skcraft@slga.com).
- i) Cost of Testing & Additional Testing
- i) The cost of testing beverage alcohol products and/or obtaining a Certificate of Analysis is the responsibility of the craft alcohol producer.
  - ii) SLGA reserves the right, in its sole discretion, to test samples of craft alcohol products at any time. If the product fails the SLGA-initiated testing for any reason, SLGA reserves the right to charge the cost of testing and all related shipping fees directly to the craft alcohol producer.
- j) Craft alcohol producers and all other manufacturers, including regional, national and bottling manufacturers, who are interested in selling through the SLGA Distribution Centre or through a SLGA approved Specialty Liquor Warehouse are referred to the Beverage Alcohol Quality Assurance Policy, located at the following link: <https://www.slga.com/liquor/partners/for-liquor-suppliers#Wholesale%20Policy>
- k) Unstandardized products will not be approved by SLGA for sale in Saskatchewan without the appropriate authorizations from Health Canada and/or the Canadian Food Inspection Agency.

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Unstandardized products are products that incorporate beverage alcohol with other consumables, such as food products.

#### 4. Packaging and Labelling

- a) The manufacturer is responsible for ensuring that all packaging and labelling, including product fills of containers supplied by the customer (i.e. howlers, growlers and crowlers), complies with provincial Health requirements, the Canada *Food and Drug Act*, the *Safe Food for Canadians Act*, and any other relevant safety requirements and legislation. The Canadian Food Inspection Agency *Labelling Requirements for Alcoholic Beverages* apply to manufacturers in Saskatchewan. This applies to any product sold within or outside of Saskatchewan. See: <https://inspection.canada.ca/food-labels/labelling/industry/alcoholic-beverages/eng/1624281662154/1624281662623>
- b) Packaging may take place at the manufacturing site specified on the permit or, with written authorization from SLGA, at another site within Saskatchewan.
- c) All packaging must be sealed so that if it has been opened, it is immediately apparent to a casual observer (e.g. a cork flush with the top of the opening, or a shrink-wrapped plastic seal surrounding a screw-cap or clamp-down lid).
- d) Craft alcohol producers may package and sell Saskatchewan made craft beer, mead, cider and refreshment beverages with a maximum strength of 14.5% alcohol by volume, in containers provided by the customer.
- e) Acceptable containers provided by the customer are reusable howlers and growlers previously purchased from a brewery, or a third party container, the purpose of which is to be filled with beverage alcohol.
- f) The craft alcohol producer must ensure the reusable container that has been packaged and sold to the customer is sealed so if it is opened, it is apparent to the casual observer.
- g) Wine and spirits may not be packaged and sold in containers provided by customers.
- h) Craft alcohol producers may handwrite the alcohol by volume on the labels on their finished product. They must ensure that the handwritten alcohol by volume is legible and permanent.
- i) Craft alcohol producers, who offer crowler, howler and growler fills are subject to the following labelling requirements:
  - i) The labelling must be identifiable on the container either by the addition of a sticker or tag;
  - ii) The labelling must clearly indicate the type of beverage alcohol and the alcohol by volume of the packaged beverage alcohol;

- iii) The size of the applicable container must be clearly identifiable on the labelling; and
- iv) The required labelling information must be legible and permanent.

## 5. Traceability Requirements

- a) Policy:
  - i) SLGA has adopted the Canadian Food Inspection Agency traceability requirements to apply to all Saskatchewan alcohol manufacturers. All Saskatchewan alcohol manufacturers are required to meet traceability requirements, as outlined in *The Safe Food for Canadians Regulations*.
- b) Definitions:
  - i) Traceability: The ability to effectively track the production and movement of alcohol.
  - ii) Lot/batch coding: Refers to a coding system that can be used to identify the specific lot/batch that was manufactured, prepared, produced, stored, graded, packaged and labelled under the same conditions.
    - (a) The lot/batch code can be numeric, alphabetic or alphanumeric.
    - (b) The lot/batch code must be included on individual units of finished product (i.e. bottle, can, keg, etc.).
- c) General Requirements:
  - i) The traceability documents are to:
    - (a) Identify the alcohol: the common name of the alcohol, the name of the address of the producer who manufactured, prepared, produced, stored, packaged and labelled the alcohol, and the lot/batch code to trace the alcohol;
    - (b) Identify and trace back the ingredients used to make the alcohol, including where they were sourced and the date on which they were received;
    - (c) Identify and trace the alcohol sold to a business, including the date on which it was shipped/received;
      - (i) Saskatchewan craft alcohol producers are not required to document individual consumers that purchased the alcohol.
  - (d) Be retained for at least 2 years.
    - (i) *For further details on general record keeping requirements, refer to Section 11 of this Chapter.*

## 6. Product Recalls of Craft Alcohol

### a) Policy:

- i) It is the responsibility of all Saskatchewan craft alcohol producers to initiate recalls on products they have manufactured. A product recall is initiated when the product is determined to have one or more of the following:
  - (a) A safety issue (examples: contamination; alcohol by volume outside of acceptable tolerance); or
  - (b) A packaging or labelling issue (examples: unstable packaging; not adhering to labelling requirements for alcoholic beverages).
    - ii) Saskatchewan craft alcohol producers are to also have their own product recall procedures, detailing how they will address a product recall in compliance with this policy, and for minor issues not covered in this policy, such as label errors or cork disintegration.,
    - iii) Saskatchewan craft alcohol producers are to report all product recalls to SLGA.
    - iv) Saskatchewan craft alcohol producers who sell their product through the SLGA Distribution Centre, or through a SLGA approved Specialty Liquor Warehouse should refer to Section 6 of the SLGA Beverage Alcohol Quality Assurance Policy for details on that Product Recall process. For more information visit <https://www.slga.com/liquor/partners/for-liquor-suppliers#Wholesale%20Policy>

### b) Definitions:

- i) Product Recall: When beverage alcohol product is removed from the market due to a problem with the product.

### c) Recall Process:

- i) A problem with an alcohol product that requires a recall could be identified through a variety of means, such as by the Saskatchewan craft alcohol producer, a retail store permittee, a commercial permittee, the public, SLGA or another source.
- ii) If SLGA becomes aware that a Saskatchewan craft alcohol producer's product requires a recall prior to the Saskatchewan craft alcohol producer becoming aware, SLGA will contact the producer to identify the problem and request that the Saskatchewan craft alcohol producer initiate a voluntary product recall. If the Saskatchewan craft alcohol producer does not initiate the product recall in a manner satisfactory to SLGA, then SLGA will proceed with issuing the product recall as SLGA deems necessary.
- iii) When a Saskatchewan craft alcohol producer intends to proceed with a voluntary product recall, the following process must be followed:
  - (a) Step 1: Isolate Affected Product
    - (i) The Saskatchewan craft alcohol producer is required to isolate inventory of affected product that is in their possession and immediately halt distribution of

affected product until next steps are determined.

(b) Step 2: Notification to SLGA

- (i) The Saskatchewan craft alcohol producer is to send an email to [skcraft@slga.com](mailto:skcraft@slga.com) to advise SLGA that a product recall has been initiated. The Saskatchewan craft alcohol producer is required to provide SLGA with the following information:
  - a. Detailed description of the product including name, unit size, year, and any other relevant details;
  - b. Affected production lot numbers or batch codes;
  - c. Purchase order or delivery information;
  - d. Location of distributed product;
  - e. The root cause of the problem;
  - f. How the problem has been contained and remedied; and
  - g. Any other information considered to be relevant by SLGA.
- (ii) If some of this is not immediately available at the time the Saskatchewan craft alcohol producer initially emails SLGA, then the information must be provided as it becomes available.
- (iii) The Saskatchewan craft alcohol producer may request guidance from SLGA on how best to proceed if they are unsure whether a recall is required or if they are unsure how to effectively initiate the product recall, if required.
- (iv) The Saskatchewan craft alcohol producer must notify the Canadian Food Inspection Agency's Area Recall Coordinator of the product recall. The Canadian Food Inspection Agency requires a distribution list along with addresses and phone numbers of the accounts affected.
- (v) *Canadian Food Inspection Agency Area Recall Coordinator contact information can be found at: <https://www.inspection.gc.ca/food-safety-for-industry/archived-food-guidance/safe-food-production-systems/food-recall-and-emergency-response/cfia-notification/eng/1300377749580/1300378289195>*

(c) Step 3: Product Recall

- (i) The Saskatchewan craft alcohol producer's voluntary recall notice to its retail and commercial customers shall contain:
  - a. Instructions for retail store permittees, commercial permittees and SLGA Distribution Centre to count and isolate their inventory and report back on their quantities to the Saskatchewan craft alcohol producer while they wait for remediation instructions from the Saskatchewan craft alcohol producer; and
  - b. Instructions for disposal and refund for affected product.



- (ii) If SLGA determines, in consultation with the Saskatchewan craft alcohol producer, that the product recall requires a public warning, then SLGA and/or the applicable agency such as the Canadian Food Inspection Agency, will issue a public notice, outlining the associated health risk involved. SLGA may consult with any other agency it deems necessary, including the Canadian Food Inspection Agency and the Saskatchewan Ministry of Health.
  - (iii) If a public notice is issued, the Saskatchewan craft alcohol producer is required to instruct retail store permittees and commercial permittees to accept returns and issue refunds of the recalled product, provided proof of purchase is provided. The Saskatchewan craft alcohol producer is required to refund retail store permittees and commercial permittees for returns they have accepted as a result.
  - (iv) If the Saskatchewan craft alcohol producer does not initiate the product recall in a manner satisfactory to SLGA, then SLGA will proceed with issuing the product recall as SLGA deems necessary.
- (d) Step 4: Investigation (if considered necessary by SLGA)
- (i) Depending on the circumstances, SLGA may determine that a wider investigation is required.
  - (ii) SLGA will contact the Saskatchewan craft alcohol producer to discuss the product recall in greater detail.
  - (iii) Where necessary, SLGA will involve the Canadian Food Inspection Agency, the Saskatchewan Ministry of Health and any other provincial or federal agency deemed necessary to evaluate the seriousness of an issue and the appropriate action to take.
  - (iv) Based on the results of the investigation, SLGA will determine the most appropriate action in consultation with the Saskatchewan craft alcohol producer.
  - (v) SLGA may require the Saskatchewan craft alcohol producer to send samples of product to an SLGA-approved laboratory for testing.
    - a. SLGA may direct the Saskatchewan craft alcohol producer on which products are to be sent away for testing.
    - b. The Saskatchewan craft alcohol producer is required to provide the results of the testing to SLGA.
    - c. If SLGA sends sample product away for testing to an SLGA approved laboratory, any failed tests may be billed back to the Saskatchewan craft alcohol producer.
- (e) Step 5: Follow-up (if considered necessary by SLGA)

- (i) SLGA will continue to work with the Saskatchewan craft alcohol producer to ensure that any problems that led to the product recall are resolved.
  - (ii) Depending on the circumstances, SLGA may take any regulatory action it deems to be appropriate. This may include placing restrictions on the Saskatchewan craft alcohol producer's manufacturing permit until associated problems have been resolved to the satisfaction of SLGA.
  - (iii) Once problems associated with the recall have been resolved to the satisfaction of SLGA, the Saskatchewan craft alcohol producer will be given permission for the type of product to re-enter the market. Whether the actual recalled product can be corrected and released for sale will depend on the particular circumstances of the product recall.
  - (iv) SLGA may increase oversight of the Saskatchewan craft alcohol producer for a period of time. This may include additional site visits, product testing and review of the Saskatchewan craft alcohol producer's policies and procedures.
- d) Record Retention:
- i) Records associated with the product recall must be retained for at least 2 years.

## 7. Sale of Manufactured Beverage Alcohol

- a) SLGA as sole legal supplier
  - i) Beverage alcohol produced by a permitted manufacturer for sale in Saskatchewan is deemed to be sold to SLGA in accordance with *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016*, which designates SLGA as the sole legal supplier of beverage alcohol in Saskatchewan. SLGA assesses a production levy or applies a mark-up and then sells the identical manufactured product to customers, including the original manufacturer. To effect the mandatory sale to SLGA, physical delivery of the product is not required.
- b) Sale under a Craft Alcohol Producer's permit
  - i) Craft alcohol producers are authorized to sell any Saskatchewan made craft alcohol in closed containers as follows:
    - (a) From a craft alcohol (on-site) store owned and operated by the craft alcohol producer. Only Saskatchewan craft alcohol product can be sold at the (on-site) store for off-site consumption (Section 28, *The Alcohol Control Regulations, 2016*);
    - (b) From a craft alcohol (off-site) off-sale owned and operated by the craft alcohol producer. Only Saskatchewan craft alcohol product can be sold at this (off-site) off-sale (Section 44, *The Alcohol Control Regulations, 2016*);

- (c) At an approved farmers' market with written consent from the farmers' market and the municipality and subject to the product being secured while on site.
- For the purposes of this policy, a farmers' market means a farmers' market located in Saskatchewan where items available for sale are predominantly agricultural produce and food products; there is board of directors or advisory oversight; the market is approved by the Saskatchewan Health Authority and municipality; and the market occurs on a regularly scheduled basis for at least three months. To have a farmers' market placed on the approved farmers' market list please contact Liquor Licensing. *For contact information refer to the Appendix, Section A1.*
- (d) Through online sales or orders placed by telephone. All orders must be filled at the permitted locations, including (on-site) store, (off-site) off-sale and off-site warehouse, as indicated on the manufacturing permit.
- (i) Craft alcohol producers do not require a publicly accessible storefront to carry on online/telephone sales. *Refer to Section 9 of this Chapter for rules governing online sales and delivery.*
- (ii) Craft alcohol producers cannot sell beverage alcohol directly from their off-site warehouse. However, they may fill orders for delivery from the warehouse. Retail sales permittees, commercial permittees, and approved distributors, may pick up orders from warehouse facilities. Individual customers are prohibited from picking up orders from the off-site warehouse.
- (e) Through the processes set out in Subsection c) following.

Note: Beverage alcohol manufactured under a bottling manufacturer permit is not craft alcohol and therefore can only be sold pursuant to subsection 7 c).

- c) Sale of Product produced under Bottling and other non-craft Manufacturer Permits
- i) Any manufacturer may sell its manufactured beverage alcohol product in closed containers:
- (a) Through SLGA's special order process;
- (b) Through SLGA's wholesale distribution channel, subject to SLGA listing approval and SLGA approved Specialty Liquor Warehouses;
- (c) By export to another province or country, subject to compliance with export licensing and requirements in the destination province or country.
- ii) In most Canadian provinces, product may be sold only through a provincial or provincially authorized agency, not directly to a business or individual. Manufacturers are responsible for sales to other Canadian provinces and pertinent legislation for those provinces must be followed. *For rules, regulations*

and listing information of provincial jurisdictions across Canada, a good resource is [www.alcohollaws.ca](http://www.alcohollaws.ca).

- (a) The manufacturer permittee is responsible for registration for and payment of all applicable fees and taxes.

## 8. Craft Alcohol (On-site) Store & (Off-site) Off-sale

- a) Craft alcohol producers must obtain approval from SLGA for their (on-site) store and/or (off-site) off-sale.
- b) Craft alcohol producers are authorized to sell any Saskatchewan made craft alcohol from their (on-site) store and/or (off-site) off-sale for off-site consumption.
- c) Craft alcohol producers may provide samples of any Saskatchewan made craft alcohol from their craft alcohol (on-site) store and/or (off-site) off-sale. *For further information on sampling, refer to Section 16 of this Chapter.*
- d) Craft alcohol producers are permitted to one craft (on-site) store at each permitted manufacturing facility. Craft alcohol producers may only have one (off-site) off-sale regardless of the number of permitted manufacturing facilities or different product categories they produce.
- e) The (on-site) store must be located at or adjacent to the manufacturing facility. If the (on-site) store is located within the manufacturing facility, it must be physically separate from the manufacturing area.
- f) The (on-site) store may be integrated within the hospitality suite, providing it meets building code requirements.
- g) The (off-site) off-sale is a reviewable endorsement that is to be located at a location away from the manufacturing facility. It can be located in a separate municipality from the manufacturing facility, in Saskatchewan. *For more information on this endorsement, please contact SLGA Liquor Licensing and Inspections Branch.*
- h) Crowler, howler and growler fills are permitted from the craft alcohol (on-site) store and (off-site) off-sale for off-site consumption.
- i) It is the responsibility of the craft alcohol producer to ensure the craft alcohol (on-site) store and/or (off-site) off-sale are in compliance with the facility standards set out in building codes, health and fire regulations, and other relevant federal, provincial, and municipal legislation and regulations.
- j) SLGA allows a craft alcohol (on-site) store and/or (off-site) off-sale endorsement to be issued and to continue to remain in effect only if the location, construction, equipment, furnishings, and operation of the establishment consistently meet the standards set out in *The Alcohol and Gaming Regulation Act, 1997, The Alcohol Control Regulations, 2016* and terms and conditions on a permit.

- k) Craft alcohol (on-site) store and (off-site) off-sale may establish their hours of operation any time between 8:00 a.m. and 3:00 a.m. (3:30 a.m. on January 1). For craft alcohol (on-site) stores integrated within a hospitality suite, the hours of operation may be 9:30 a.m. to 2:00 a.m. (2:30 a.m. on January 1). Sampling may not occur prior to 9:30 a.m. in a stand-alone craft alcohol (on-site) store or (off-site) off-sale. Hours of operation may vary according to municipal bylaws.
- l) Minors may be allowed to enter a craft alcohol (on-site) store and (off-site) off-sale as long as they are accompanied by their parent, legal guardian, or spouse of legal age. The sale of craft alcohol to minors is prohibited.

## 9. Delivery

### 9.1 Delivery by Saskatchewan Craft Alcohol Producers

- a) Sales to permittees: Craft alcohol producers can deliver their craft alcohol product and/or craft alcohol produced by other Saskatchewan craft alcohol producers directly to retail store permittees, commercial permittees, special occasion permittees and other craft alcohol producers. (note: beverage alcohol manufactured under a bottling manufacturer permit is not craft alcohol, and craft alcohol producers are prohibited from delivering it.)
  - i) The craft alcohol product may be delivered by the craft alcohol producer by an employee of the craft alcohol producer who is not a minor, or by a courier that requires proof of age as a condition of delivery. “Courier” refers to companies such as Canada Post, DHL and Purolator, where the company has standards in place to address the proof of age as a condition of delivery.
  - ii) The craft alcohol producer must have the customer’s purchase order prior to delivering the craft alcohol. Orders must be filled during the hours and days that craft alcohol may be lawfully sold. The purchase order must contain:
    - a) The name and address of the craft alcohol producer.
    - b) The product name and quantities of the craft alcohol being purchased, and
    - c) The address where the craft alcohol is to be delivered.
  - iii) Craft alcohol must be delivered only within the province of Saskatchewan and only between 9:30 a.m. and 3:00 a.m. Hours of operation may vary according to municipal bylaws. *For more information about Hours and Days of Operation, refer to Section 8 of this Chapter.*
  - iv) All orders must be accepted and processed from the premises identified on the permit, including the (off-site) off-sale, and may be filled from the craft alcohol (on-site) store, (off-site) off-sale or off-site warehouse.
- b) Sales to individuals: Craft alcohol producers can deliver any Saskatchewan made craft alcohol to individual purchasers in accordance with the following requirements:

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- i) The craft alcohol product may be delivered by the craft alcohol producer, by an employee of the craft alcohol producer who is not a minor, or by a courier that requires proof of age as a condition of delivery or an individual or company that holds a home delivery permit from SLGA.
    - a) Craft alcohol product cannot be delivered by a taxi, unless it holds a home delivery permit, or ride sharing service.
      - i) The craft alcohol producer must have the customer's purchase order prior to delivering the craft alcohol. Orders must be filled during the hours and days that craft alcohol may be lawfully sold. The purchase order must contain:
        - a) The name and address of the craft alcohol producer.
        - b) The product name and quantities of the craft alcohol to be purchased, and
        - c) The address where the craft alcohol is to be delivered.
      - ii) Craft alcohol must be delivered only within the province of Saskatchewan and only between 9:30 a.m. and 3:00 a.m. Hours of operation may vary according to municipal bylaws. *For more information about hours and days of operation, refer to Section 8 of this chapter.*
      - iii) All orders must be accepted and processed from the premises identified on the permit, including the (off-site) off-sale and may be filled from the craft alcohol (on-site) store, (off-site) off-sale or off-site warehouse.
      - iv) Craft alcohol must not be delivered and/or sold to a minor nor to any person who appears to be intoxicated at the time of delivery.
      - v) A craft alcohol producer or his or her employee may refuse to sell or complete the delivery of craft alcohol ordered.
      - vi) Craft alcohol may only be delivered to a private place or curbside location where it is lawful to store and consume beverage alcohol, excluding hospitals, institutions or facilities where the nature of the facility is to treat alcohol/substance abuse addictions.
      - vii) The purchase price of craft alcohol must be the same price paid by customers at the craft alcohol (on-site) store or (off-site) off-sale. The craft alcohol producer may charge a separate delivery fee, and any other applicable service fees. Customers must be informed of both the purchase price and the delivery fee, and any other applicable service fees at the time of placing the order.
      - viii) Identification is required from all home delivery customers, regardless of apparent age. *For more information about identifying a minor and verifying the authenticity of identification, refer to Chapter IV, Section 2 of this manual.*
      - ix) If a customer is unable or refuses to meet the requirements noted in this Section, the permittee or employee of the permittee shall refuse to complete the delivery of craft alcohol to the customer.
      - x) Any craft alcohol that is not delivered must be returned by the permittee to the craft alcohol (on-site) store, (off-site) off-sale or warehouse, or disposed of in a manner satisfactory to SLGA.

- xi) The permittee is to ensure that and any records regarding the sale and delivery of craft alcohol are kept as they may be required by the Canada Revenue Agency and must be available for inspection by SLGA upon request. *For contact information for the Canada Revenue Agency, refer to the Appendix, Section A2.*
  - a) Craft alcohol producers are prohibited from delivering non-craft beverage alcohol including beverage alcohol manufactured under a bottling manufacturer permit.

## 9.2 Delivery by Other Manufacturers

- a) Regional and national breweries may be eligible to enter into an agreement with SLGA to deliver their own beverage alcohol product directly to retail stores and commercial permittees rather than having beverage alcohol the product delivered by SLGA's distribution centre, or a SLGA approved specialty liquor warehouse. Breweries are not eligible to deliver directly to any other type of customer within Saskatchewan. Sample delivery contracts can be obtained by contacting SLGA's Liquor Wholesale and Distribution Division at [wholesalepricing@slga.com](mailto:wholesalepricing@slga.com).
- b) All other manufacturers must sell and deliver their product through SLGA Distribution Centre or a SLGA approved specialty liquor warehouse.

## 10. Warehousing

- a) Manufacturer Warehouse Facilities
  - i) A manufacturer permittee may have warehouse facilities to store beverage alcohol products on or adjacent to the manufacturing premises, or located at one or more separate locations.
  - ii) Off-site warehouse facilities must be approved by SLGA before they can be used to store beverage alcohol. To request approval to use an off-site warehouse facility, contact the Liquor Licensing Services. *For contact information refer to the Appendix, Section A1.*
  - iii) Warehouse facilities must comply with applicable building code requirements.
  - iv) Warehouse facilities will be subject to inspection on the same terms as the premises of a manufacturing facility as described in Chapter VI, Section 1 of this Manual.
  - v) Manufacturer permittees may store craft or non-craft beverage alcohol under the following circumstances:
    - (a) Craft alcohol producers may store and distribute, but not sell, any Saskatchewan craft alcohol products at their warehouse facilities.
    - (b) Craft alcohol producers may apply for written approval from the Liquor Licensing Services to store, but not distribute or sell, non-craft beverage alcohol under the following conditions. *For contact information refer to the Appendix, Section A1.*

- (i) If the non-craft beverage alcohol was made by the craft alcohol producer under a non-craft manufacturer permit at a permitted manufacturing facility in Saskatchewan;
  - (ii) If the non-craft beverage alcohol belongs to a retail store or commercially permitted premises where the permittee is the same person as for the craft alcohol manufacturer permit; or
  - (iii) If the non-craft beverage alcohol was made by a regional, national, or bottling manufacturer at a manufacturing facility in Saskatchewan.
- (c) Regional, national, and bottling manufacturers may only store beverage alcohol they produced in Saskatchewan. Regional, national, and bottling manufacturers may apply for written approval from the Liquor Licensing Services to store, but not distribute or sell, non-craft alcohol that was produced in Saskatchewan. *For contact information refer to the Appendix, Section A1.*
- vi) Manufacturer permittees may fill beverage alcohol orders for delivery from the warehouse facilities where their products are stored as described in Sections 7 and 9 of this chapter but may not sell beverage alcohol products directly from warehouse facilities. Retail store permittees and commercial permittees may pick up orders from warehouse facilities. Individual customers are prohibited from picking up orders or browsing products in warehouse facilities. However, individual customers may enter the warehouse as part of a tour of the manufacturing facility.
  - vii) With approval from SLGA, a manufacturer permittee may allow other manufacturer permittees to store their beverage alcohol products in its warehouse facility. To request approval, contact Liquor Licensing Services. *For a list of contact persons, telephone numbers, and addresses, refer to the Appendix, Section A1.*
  - viii) Beverage alcohol in a warehouse facility belonging to different manufacturer permittees or to more than one manufacturing facility owned by the same manufacturer permittee is to be identifiable and separated from products belonging to other permittees or manufacturing facilities. It is not required that each manufacturer permittee's or manufacturing facility's beverage alcohol be separated by physical security barriers.
  - ix) The manufacturer permittee is to ensure that all warehouse facilities adhere to the security requirements stated in Section 2 of this Chapter, that all beverage alcohol in warehouse facilities is securely stored and monitored, and that reasonable measures are in place to minimize the risk of theft.
  - x) Beverage alcohol may only be removed from the warehouse facility by the manufacturer permittee that owns the beverage alcohol, or by their employees. This must be stated in the warehouse facility's operating policies.
  - xi) In all cases, the manufacturer permittee to whom the warehouse facility belongs is responsible for ensuring compliance with all relevant legislation, regulations, and SLGA policies, and is responsible for ensuring that all beverage alcohol in warehouse facilities is stored securely and that reasonable measures are taken to minimize the



risk of theft.

- xii) Separate records are to be kept for each manufacturer permittee's products in accordance with all relevant parts of the record keeping policy in Section 11 of this Chapter.

b) Third Party Warehouse Facilities

- i) The use of a third party warehouse facility to store beverage alcohol products must be approved by SLGA. To request approval to use a third party warehouse facility, contact the Liquor Licensing Services. *For contact information refer to the Appendix, Section A1.*
- ii) When requesting approval to use a third party warehouse facility, a manufacturer permittee must provide SLGA with a copy of the contract for service between the manufacturer permittee and the warehouse facility. The contract must specify:
  - (a) Only persons who are 19 years of age or older will have access to the beverage alcohol stored in the warehouse facility;
  - (b) Access to the beverage alcohol in storage is limited to warehouse employees, the manufacturer permittee who owns the beverage alcohol stored at the warehouse facility, and the employees of the manufacturer permittee. Beverage alcohol is to be identifiable and separated from other products in the warehouse. This does not require that each permittee's beverage alcohol be separated by physical security barriers;
  - (c) Beverage alcohol may only be removed from the warehouse facility by the manufacturer permittee who owns the beverage alcohol or by their employees;
  - (d) In all cases, the owner and operator of the third party warehouse is responsible for ensuring that all beverage alcohol in warehouse facilities is stored securely and that reasonable steps are taken to minimize the risk of theft;
  - (e) The third party warehouse facility will keep distinct records for each manufacturer permittee's products.  
  
SLGA is to be granted access to the warehouse facility during normal business hours upon request and without advance notice or prior approval of the manufacturer permittee to inspect or audit the records pertaining to the beverage alcohol stored at the warehouse facility.
  - (f) The aforementioned contract provisions are included in the third party warehouse facility's operational policies.

## 11. Record Keeping

- a) Policy:
  - i) Subject to Sections 94 & 95 of *The Alcohol and Gaming Regulation Act, 1997*, and Subsection 29(4) of *The Alcohol Control Regulations, 2016*, the Saskatchewan alcohol

manufacturer must maintain distinct books and records listed below for each permit respecting the production, sale and distribution of beverage alcohol that are acceptable to SLGA.

- ii) Saskatchewan Alcohol Manufacturers do not need to submit the records to SLGA unless the manufacturer is advised by SLGA to do so. Records must be produced in a timely fashion satisfactory to SLGA.
  - iii) Records must be maintained in such a manner that a reasonable person could read and interpret the records. The records must be:
    - (a) Well organized;
    - (b) Readily available;
    - (c) Legible; and
    - (d) Retained for at least two years.
  - iv) Records should be kept on-site at the permitted premise. If records have been stored off- site, they must be accessible in a timely fashion.
  - v) Saskatchewan alcohol manufacturers shall provide access to their records and premises for any inspections or audits undertaken by SLGA.
- b) Required Documents and Records
- i) Tax
    - (a) Copy of Excise Tax Returns for the warehouses and manufacturing locations.
  - ii) General
    - (a) Bank statements and credit card statements;
    - (b) A general financial ledger; and
    - (c) Financial Statements.
  - iii) Production
    - (a) A record of the volume and source of product inputs used in the manufacturing process (including supplier name and address, where applicable);
    - (b) Invoices or receipts showing quantity and price paid for all ingredients not containing liquor used in the manufacturing process, including but not limited to, grain, mash, must, concentrates, sugar, juice, fruit, honey, hops, spices and milk;
    - (c) Invoices or receipts showing the quantity and price paid for all ingredients containing liquor used in the manufacturing process;
    - (d) A record of any alcohol that was reprocessed/re-blended by the manufacturer; and
    - (e) Fermentation Logs/Brew Logs/Still Logs/Dilution Logs that list all ingredients with batch coding that can be traced to each package.
  - iv) Packaging
    - (a) A listing of manufactured products package, detailing the date, quantity,

volume, type, alcohol by volume, and batch code of the product. This includes any form of finished packaging such as (but not limited to) kegs, cans, and bottles.

- v) Product Destroyed Before Packaging
  - (a) A listing of finished product destroyed before packaging, detailing the date, explanation of the cause, quantity, type, and alcohol by volume of the product destroyed.
- vi) Product Destroyed After Packaging
  - (a) A list of packaged product destroyed after packaging, detailing the date, explanation of the cause, quantity, type, package size, and alcohol by volume of the product destroyed.
- vii) Inventory
  - (a) Monthly inventory counts completed, for all locations where there is stored and/or aged alcohol, including bulk alcohol, purchased alcohol, manufactured alcohol, and work-in-process alcohol; and
  - (b) The inventory records must include the location, date, type, quantity and package size of product counted.
- viii) Sampling
  - (a) A list of all product used for sampling, detailing the date, type, quantity and size of product used in sampling.
  - (b) Individual samples do not need to be tracked, but all volume of product, including all packaged product (such as bottles, cans, kegs, etc.) used for sampling must be tracked.
- ix) Sale
  - (a) Sales records listing the total products sold by volume, type, quantity and date.
  - (b) Permittees must keep records that distinguish between beverage alcohol sold to:
    - (i) Special occasion permittees (tracked by business name, location and permit number);
    - (ii) Retail store and commercial permittees (tracked by business name, location and permit number);
    - (iii) Hospitality Suite (for craft alcohol producers only);
    - (iv) Craft Alcohol (on-site) store (for craft alcohol producers only);
    - (v) Craft Alcohol (off-site) store (for craft alcohol producers only);
    - (vi) SLGA Distribution Centre;
    - (vii) Outside of Saskatchewan (including international) sales (tracked by business name and location); and
    - (viii) All other sales.

- (c) In the case of a craft alcohol producer with an associated restaurant or tavern, sales records for both the restaurant or tavern and the craft alcohol (on-site) store (off-site) off-sale must distinguish between craft alcohol manufactured by the craft alcohol producer and manufacturers' product. *For further details on product traceability requirements, refer to Section 5 of this Chapter.*

## 12. Reporting, Mark-up, Production Levies, and Taxes

- a) Production Reporting – For Craft Alcohol Producers
- i) A craft alcohol producer must provide production reports, along with any other particulars required, on a monthly report in a form determined by SLGA, along with any required production levy and copies of corresponding Customs and Excise forms.
- (a) Monthly Production and Customs and Excise forms must be submitted to [SKprodreport@slga.com](mailto:SKprodreport@slga.com).
- b) Mark-up, Production Levies and Taxes
- i) SLGA applies a mark-up to all products distributed by SLGA's Distribution Centre or Specialty Liquor Warehouses.
- (a) Mark-up is applied to a product's landed cost per unit or to the packaged volume and is included in the wholesale price.
- (b) *Mark-up rates and more information on the mark-up structure can be found in the Wholesale Pricing Structure and Policy Manual*  
<https://www.slga.com/liquor/partners/for-liquor-suppliers#Wholesale%20Policy>.
- ii) Production levies are collected instead of mark-up for Saskatchewan craft alcohol products sold directly, or used for sampling purposes in Saskatchewan by Saskatchewan craft alcohol producers.
- iii) Production levies are calculated by SLGA and billed to Saskatchewan craft alcohol producers on a monthly basis.
- iv) The production levy owed for each product category is calculated by multiplying the applicable production levy rate for the producer's year-to-date (YTD) global production in that category by the total volume of direct sales and samples of the producer's product in Saskatchewan for each category in the given month.
- (a) Production levy rates can be found on SLGA's Craft Producers webpage <https://www.slga.com/liquor/for-craft-producers#Markup%20Rates>.
- v) For craft alcohol producers engaging in contract manufacturing, contractors and contractees both include all product produced under a contract manufacturing agreement as part of their YTD global production.

- c) In the case of product sold outside Saskatchewan, no mark-up or production levy is applied by SLGA.
- d) Provincial and federal taxes are to be remitted directly to the applicable authority. Examples include, but are not necessarily limited to:
  - i) Excise tax, payable to the Canada Revenue Agency;
  - ii) GST, payable to the Canada Revenue Agency;
  - iii) Liquor Consumption Tax, to be collected on the retail price of sales to the public and to all special occasion permittees, and payable to the Saskatchewan Ministry of Finance; *For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.*
  - iv) Re-sale levy, to be collected on retail price of sales to special occasion (sale only) permits, and payable to the Saskatchewan Ministry of Finance; and
  - v) Beverage Container Program environmental handling charge and refundable deposit on approved containers to be remitted to the Saskatchewan Ministry of Finance.

### 13. Tours of Manufacturing Site

- a) Tours of manufacturing sites may be offered to the public. No one other than the manufacturer's designated staff may be allowed entry into the manufacturing area except persons who are escorted by the manufacturer's staff when on tour.
- b) Sampling of beverage alcohol may be provided during a tour of the manufacturing site. *For further information on sampling, refer to Section 16 of this Chapter.*

### 14. Hospitality Suite

- a) The hospitality suite is intended as a venue for the manufacturer to feature their products to the public. In the case of craft alcohol producers, products from other Saskatchewan craft alcohol producers may also be featured. Ancillary activities in the hospitality suite are allowed in accordance with the policies set out herein.
- b) General Provisions
  - i) A manufacturer is eligible for a hospitality suite endorsement on its manufacturing permit in accordance with the following policies and procedures.
  - ii) The hospitality suite is within the same building as the manufacturing facility or adjacent to the manufacturing facility.
  - iii) The hospitality suite is self-contained from the manufacturing area and clearly defined by permanent structures. The hospitality suite may be located indoors, outdoors, or a combination of both as may be allowed by relevant building, health, and safety standards

- iv) The hospitality suite may be integrated with or separate from the craft alcohol producer's craft alcohol (on-site) store.
- v) The maximum capacity of the premises does not exceed the lesser of 125 patrons, or the maximum capacity specified by relevant authorities.
- vi) The hospitality suite is operated and controlled by the manufacturer permittee or an SLGA approved third party with a written agreement. *For further information on Revenue/Profit Sharing, refer to Chapter II section 9.*
- vii) Craft alcohol producers may sell or serve at no charge any Saskatchewan craft alcohol in the hospitality suite, in sample sizes or full serving sizes. Other manufacturers are restricted to serving sample sizes of their own manufactured product at no charge.
- viii) Minors may be present in a hospitality suite if accompanied by a parent, legal guardian, or spouse of legal age. Beverage alcohol shall not be served to or consumed by minors.
- ix) Beverage alcohol shall not be served to or consumed by individuals who appear to be intoxicated.
- x) Washroom facilities for patrons of the hospitality suite may not be located in the manufacturing area. The washrooms are to be accessible to patrons. Patrons cannot pass through the manufacturing area to access the washroom facility. There must be an appropriate number of washrooms for patrons as per federal, provincial and municipal guidelines.
- xi) The following general food service requirements apply in a hospitality suite:
  - (a) Light meals and non-alcoholic beverages must be available to patrons during all hours that beverage alcohol service is available.
  - (b) A light meal generally consists of one item, typically a smaller serving that may be referred to as an appetizer, e.g. nachos, dry ribs, chicken fingers, sandwiches, salads, etc. Snacks such as chips, peanuts, or other items typically found in vending machines are not sufficient to meet the general food service requirements.
  - (c) Although a hospitality suite may choose to contract with an outside source to provide light meal service, it must maintain adequate facilities and food supplies to provide this service in-house if necessary.
- xii) The maximum hours of lawful service of beverage alcohol for a hospitality suite are:
  - (a) Daily, 9:30 a.m. to 2:00 a.m. of the following day, and
  - (b) 9:30 a.m. to 2:30 a.m. of the following day on December 31.
- xiii) After the lawful service of beverage alcohol ceases, a manufacturer operating a hospitality suite is to keep the establishment open for at least one-half hour, but not later than 2:30 a.m. (3:00 a.m. on January 1), to allow patrons to finish their drinks of beverage alcohol. Hours of operation may vary according to municipal bylaws.

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c) Application Process

- i) To obtain a hospitality suite endorsement, the manufacturer submits a request to Liquor Licensing Services that includes floor plans that show the layout and dimensions of the hospitality suite. SLGA will review the plans and inspect the premises to ensure alignment with the physical and operating requirements prior to providing approval.

d) Events

- i) For clarity, hospitality suites may be used for events, where an organization or individual has booked all the seating in the hospitality suite.
- ii) All requirements of the hospitality suite endorsement remain in effect throughout the duration of the private event.
- iii) Only craft alcohol products can be served on premises.
- iv) The general food requirement remains in effect (variety of light meals and non-alcoholic beverages).
- v) Alcohol sales from the manufacturer's craft alcohol (on-site) store are allowed to guests of the private event. This alcohol may only be consumed off the premises.

e) Special Occasion Permitted Events

A Special Occasion Permit is required for anyone selling alcohol, or for anyone serving alcohol at an event that is not held in a commercially permitted establishment, a private residence, or another private place.

- i) The manufacturer may request that its hospitality suite endorsement be suspended in order to host special occasions in the hospitality suite, under a special occasion permit obtained by a third party.  
  
In addition to special occasion permits issued to third parties, the manufacturer is eligible under the SLGA Special Occasion Permit policy to directly obtain up to 6 special occasion permits for their premise.
- ii) All requirements of a special occasion permit are in effect. Refer to the Special Occasion Permits: Policy Manual on SLGA's website <https://www.sлга.com/permits-and-licences/liquor-permits/special-occasion-permits/sop-general-info-and-faq>.
- iii) The manufacturer must receive approval from SLGA for suspension of the hospitality suite endorsement for the duration of the special occasion.
- iv) All beverage alcohol not purchased by the special occasion permittee for service at the event must be removed by the manufacturer from the hospitality suite or secured such that it cannot be accessed by the special occasion permittee, for the

- duration of the special occasion event.
- v) If the special occasion permittee wishes to purchase Saskatchewan craft alcohol from a Saskatchewan craft alcohol producer for service at the event, the special occasion permittee is to be issued receipts for the alcohol.
  - vi) Any unused alcohol from the special occasion event must be returned (with receipts) to the place of purchase or destroyed by the special occasion permittee, if opened.
  - vii) For clarity, the manufacturer permit remains in effect, but the hospitality endorsement is suspended for the duration of the Special Occasion Permitted Event. Since the hospitality suite is closed for the duration of the special event, if the manufacturer's (on-site) store is integrated in the hospitality suite, sales from that location are also temporarily suspended.
- f) Temporary Extension and Sidewalk Extension to Hospitality Suite
- i) Description and Eligibility
    - (a) A Temporary Extension to the Hospitality Suite authorizes the sale of beverage alcohol during a specific event in a designated outdoor area adjacent or attached to the hospitality suite.
    - (b) A Sidewalk Extension to the Hospitality Suite authorizes the sale of beverage alcohol in a designated municipal area (sidewalk or parking lot), which is attached or adjacent to the hospitality suite.
  - ii) General Provisions
    - (a) The manufacturer may request a temporary extension or sidewalk extension to their hospitality suite, which will be considered by SLGA on a case-by-case basis. The following requirements apply:
      - (i) The manufacturer requires municipal approval for an extension to the hospitality suite before SLGA will issue approval. The extension to the hospitality suite is valid only if the municipality's approval remains in effect.
      - (ii) The maximum number of patrons for the entire hospitality suite (indoor & outdoor combined, including any extension) must not exceed the lesser of 125 patrons, or the maximum capacity specified by relevant authorities.
      - (iii) The extension is attached or adjacent to the hospitality suite.
      - (iv) An extension is defined and segregated by a portable enclosure that visibly distinguishes the extension from the surrounding area. Generally speaking, the enclosure around a sidewalk extension must be at least 0.6 metres (2 feet) in height and the enclosure around a temporary extension must be at least 1.524 metres (5 feet) in height.



- (v) Adequate security and staffing is required to ensure proper supervisory control.
  - (vi) Portable washrooms may be required to meet building and health codes.
  - (vii) The general food service requirement applies in an extension (light meals and non-alcoholic beverages).
  - (viii) The extension is to be controlled and operated by the manufacturer.
  - (ix) The Maximum Occupant Load Certificate or the SLGA Capacity Rating Card is to be prominently and publicly displayed.
  - (x) Where the extension is to accommodate a special occasion event, the manufacturer is responsible for having the extension to the hospitality suite in place for use by the special occasion permittee.
- iii) Application Process
- (a) To apply for an extension, contact Liquor Licensing Services. *For a list of contact persons, telephone numbers, and addresses, refer to the Appendix, Section A1.* Please allow at least fifteen (15) business days for Liquor Licensing Services to process this request.
  - (b) For an extension to be considered by SLGA, an applicant is required to submit:
    - (i) A copy of the municipal approval authorizing the proposed area for the service of beverage alcohol;
    - (ii) A floorplan showing location and dimensions of the proposed extension and main establishment, reasonably to scale;
    - (iii) A description of material used for the enclosure surrounding the extension; and
    - (iv) A plan to ensure adequate security and control of the area.

## 15. On-site Restaurant or Tavern

- a) Manufacturers may be eligible to obtain a restaurant or tavern permit for premises located at or adjacent to the manufacturing site. This type of facility requires a separate restaurant or tavern permit. *For more information refer to Chapter III – Restaurant Permit; Chapter IV – Tavern Permit, in the Commercial Liquor Permittee Policy Manual.*

## 16. Sampling

- a) A craft alcohol manufacturer may provide samples of Saskatchewan made craft alcohol to patrons of legal age present at their manufacturing premises or craft alcohol (off-site) off-sale, or at an approved farmer's market without obtaining a special occasion permit subject to compliance with the sampling policies outlined below and in Chapter V, Section 5.
- b) A craft alcohol manufacturer that also has a bottling manufacturer permit may provide

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samples of beverage alcohol manufactured with the bottling manufacturer permit to patrons of legal age present at their manufacturing premises, subject to compliance with the sampling policies outlined below and in Chapter V, Section 5.

- c) A craft alcohol manufacturer is eligible to apply for a special occasion permit to provide samples of craft alcohol produced under their permit to patrons of legal age at their booth at a general (non-liquor) trade shows provided:
  - i) The area is suitably enclosed and located at the tradeshow.
  - ii) If the sampling area is outdoors, municipal approval is required before a permit can be issued.
  - iii) The manufacturer must be able to control access to and consumption of craft alcohol within the permitted area, as well as entry to and exit from the area.
  - iv) All craft alcohol samples must be consumed within the permitted area.
  - v) If there is a permitted area is on the grounds of the farmers' market (e.g. beer garden), a craft alcohol producer may locate its retail sales booth within the permitted area. *For more information about craft alcohol producers selling in closed containers, refer to Section 7 of this Chapter.*
  - vi) For clarity, products produced under the bottling manufacturer permit are not craft alcohol and therefore cannot be sold or sampled at farmers' markets.
  - vii) For "beer garden" style events, the event organizer obtains the special occasion permit. If the event is being held at a special use permitted establishment with a trade show endorsement, a special occasion permit is not required. Craft manufacturers must sell their product to the holder of the special occasion permit/special use permit.
- d) Each individual sample must not exceed:
  - i) In the case of beer and coolers, four ounces or 114 millilitres;
  - ii) In the case of spirits and fortified wine, one-half ounce or 14.25 millilitres; and
  - iii) In the case of cider, mead, wine, or refreshment beverages, two ounces or 57 millilitres.
- e) Any unfinished bottles of product used for sampling must be retained by the craft alcohol producer. Open bottles from sampling events at the craft alcohol producer's premises may not leave the premises. In the case of sampling done at a Farmers' Market special occasion event, unfinished product in open bottles must be destroyed, or bottles must be properly sealed for transportation back to the manufacturer's premises for use in future samplings.
- f) *For more information about sampling, refer to Chapter V, Section 5.*
- g) *For more information about Tradeshows, refer to Chapter IV, section 16 of the Commercial*

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*Liquor Permittee manual.*

## 17. Craft Alcohol Producers

- a) Only beverage alcohol products that meet the requirements set out in the following Sections are considered craft alcohol products. Any beverage alcohol product produced by the manufacturer that does not meet the specifications set out herein is not eligible for the specific craft-related policies. Product that is not a craft alcohol product:
  - i) Is not eligible for sale at a hospitality suite, a craft alcohol (on-site) store, a craft alcohol (off-site) off-sale, at a Farmers' Market, or through online sales;
  - ii) Can only be sold through SLGA's wholesale distribution system or a SLGA approved specialty liquor warehouse, subject to the applicable SLGA mark-up rate; and
  - iii) Can be sold to purchasers outside of Saskatchewan subject to the requirements of the purchasing jurisdiction.
- b) The craft manufacturer permit structure is separated into Craft Manufacturer Type 1 and Craft Manufacturer Type 2. Type 1 craft alcohol producers undertake a greater amount of on-site manufacturing (i.e., mashing, fermenting and distilling) on-site with raw inputs. Type 2 craft alcohol producers use fewer raw ingredients in their manufacturing process compared to Type 1 craft alcohol producers. Further details are specified in the following Sections. A craft alcohol product is to be produced in accordance with the production requirements and within the production limits described in the following Sections.
- c) A craft alcohol producer cannot be categorized as both Type 1 and Type 2 in the same product category. If a craft alcohol producer produces any product that would be considered Type 2 in their permitted product category, the craft alcohol producer is categorized as Craft Manufacturer Type 2 for all products in that product category (For example: If a craft distillery produces a product that meets Type 1 requirements and also produces a product that meets Type 2 requirements, the craft distillery will be categorized as a Craft Manufacturer Type 2 for both products).
- d) A craft alcohol producer may hold a bottling manufacturer permit in a different product category (i.e.: beer, spirits, wine, cider, refreshments) than its craft products but not in the same or related product category where the same base alcohol is being used. Any product manufactured under a bottling manufacturer permit is not craft alcohol product and is subject to the applicable SLGA mark-up rate.

### 17.1 Craft Brewery

- a) General Criteria
  - i) A craft brewery is a craft alcohol producer that achieves annual global production levels from 50 to 30,000 hectolitres (inclusive) of beer annually within the calendar year.

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- (a) See Section 1(f) of this Chapter for the definition of beer.
  - (b) The Federal *Excise Act* limits the production of beer for direct consumption to not exceed 11.9% absolute ethyl alcohol by volume.
  - (c) SLGA may choose to evaluate the product in order to make a determination as to whether the product will be classified as a beer or in a different category.
- b) Production Requirements
- i) All product is to be produced under the following requirements of the applicable craft producer permit type:
    - (a) Type 1:
      - (i) Mash and ferment 100% of the alcohol by volume of the product on-site at your permitted manufacturing facility.
    - (b) Type 2:
      - (i) Ferment 100% of the alcohol by volume of the product on-site at your permitted manufacturing facility.
- c) Calculation of Production Levies, Mark-up, Taxes, and Duties
- i) The craft brewery is responsible to pay all charges, taxes, and duties as prescribed by the applicable authority.
  - ii) SLGA production levy and mark-up rates for beer produced by a craft alcohol producer are as follows:
    - (a) If sold directly by the craft alcohol producer, production levy on a per-litre basis is charged. *For more information on production levy rates, refer to <https://www.slga.com/liquor/for-craft-producers>*
    - (b) If sold through SLGA's wholesale distribution system or a specialty liquor warehouse, a mark-up based on a per litre rate is applied by SLGA according to the schedule. *For more information on mark-up rates, refer to <https://www.slga.com/liquor/for-craft-producers>*
  - iii) When annual global production of beer exceeds the 30,000 hectolitre maximum production limit:
    - (a) The brewery is now classified as a regional brewery unless it exceeds 400,000 hectolitres of production, in which it would then be classified as a national brewery. Craft benefits are not available to the regional brewery.
    - (b) A regional brewery is a beverage alcohol producer that achieves annual global production levels from 30,001 to 400,000 hectolitres (inclusive) of beer.
    - (c) The SLGA regional mark-up applies on all sales in Saskatchewan, commencing the month following that in which the threshold is reached.

- (d) A revised manufacturer permit will be issued to reflect the new regional brewery classification.
  - (e) When annual global production of beer exceeds the 400,000 hectolitre threshold:
  - (f) The brewery is now classified as a national brewery. Craft benefits are not available to the national brewery.
  - (g) A national brewery is a beverage alcohol producer that achieves annual global production levels exceeding 400,000 hectolitres of beer.
  - (h) The SLGA national mark-up applies on all sales in Saskatchewan, commencing the month following that in which the threshold is reached.
  - (i) A revised manufacturer permit will be issued to reflect the new national brewery classification.
- iv) Flavouring, bottling and packaging bulk alcohol are activities that require a bottling manufacturer permit. This type of production is not considered craft alcohol. Within Saskatchewan, the product may only be sold through SLGA Distribution Centre or an approved specialty liquor warehouse, subject to full mark-up rates. If exported, then the mark-up does not apply. *For more information about the bottling manufacturer permit, refer to Section 23 of this Chapter.*
- v) *For more information about the calculation and payment of charges, taxes, and duties, refer to a list of contact persons, telephone numbers, and addresses in the Appendix, Section A1.*

## 17.2 Craft Distillery

- a) General Criteria
- i) A craft distillery is a craft alcohol producer that achieves annual global production levels from 250 to 350,000 litres (inclusive) of finished spirits product annually within the calendar year.
    - (a) See Section 1(f) of this Chapter for the definition of spirits.
    - (b) For spirits to be considered manufactured by the craft distillery, they are to be subject to at least one distillation process at the permitted manufacturing site.
    - (c) Spirits products (i.e. gin, rum, vodka, whisky) are to meet definitions established in the Canada Food and Drug Regulations [https://laws.justice.gc.ca/eng/regulations/c.r.c.,\\_c.\\_870/page-29.html](https://laws.justice.gc.ca/eng/regulations/c.r.c.,_c._870/page-29.html).
    - (d) The total volume of the finished product will be counted toward the required production levels, regardless of alcohol content.
    - (e) SLGA may choose to evaluate the product in order to make a determination as to whether the product will be classified as a spirit or in a different category.

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- b) Production Requirements
- i) All product is to be produced under the following requirements of the applicable craft producer permit type:
    - (a) Type 1:
      - (i) Mash, ferment and distill 100% of the alcohol by volume of the product on-site at your permitted manufacturing facility.
    - (b) Type 2:
      - (i) A minimum of 75% of the alcohol by volume is created through fermentation on-site at your permitted manufacturing facility or from the redistillation of neutral grain spirits (NGS) on-site at your permitted manufacturing facility; remaining 25% of the alcohol by volume may be sourced from another manufacturer.
  - c) Calculation of Production Levies, Mark-up, Taxes, and Duties
    - i) The craft distillery is responsible to pay all charges, taxes, and duties as prescribed by the applicable authority.
    - ii) SLGA production levy and mark-up rates for spirits produced by a craft alcohol producer are as follows:
      - (a) If sold directly by the craft alcohol producer, production levy on a per litre basis is charged. *For more information on production levy rates, refer to <https://www.slga.com/liquor/for-craft-producers>*
      - (b) If sold through SLGA's wholesale distribution system or a specialty liquor warehouse, SLGA will apply a mark-up based on a per cent of landed cost (landed cost would generally include manufacturer's production, packaging, and freight costs and profit margin, as well as Federal Excise Duty), according to the schedule. *For more information on mark-up rates, refer to <https://www.slga.com/liquor/for-craft-producers>*
    - iii) When annual global production of spirits exceeds the 350,000 litre maximum production limit:
      - (a) The distillery is now classified as a national distillery. Craft benefits are not available to the national distillery.
      - (b) A national distillery is a beverage alcohol producer that achieves annual global production levels exceeding 350,000 litres of spirits.
      - (c) The SLGA national mark-up applies on all sales in Saskatchewan, commencing the month following that in which the threshold is reached.
      - (d) A revised manufacturer permit will be issued to reflect the new national distillery classification.
    - iv) Flavouring, bottling and packaging bulk alcohol are activities that require a bottling manufacturer permit. This type of production is not considered craft alcohol. Within

Saskatchewan, the product may only be sold through SLGA Distribution Centre or a SLGA approved specialty liquor warehouse, subject to full mark-up rates. If exported, then the mark-up does not apply. *For more information about the bottling manufacturer permit, refer to Section 23 of this Chapter.*

- v) *For more information about the calculation and payment of charges, taxes, and duties, refer to a list of contact persons, telephone numbers, and addresses in the Appendix, Section A1.*
- d) Sourcing Bulk Alcohol
  - i) When purchasing bulk alcohol from outside the province, the craft producer is to first obtain written authorization from SLGA for the direct importation of bulk alcohol. This authorization is to be requested through a written request submitted to: [customs@slga.com](mailto:customs@slga.com) for approval prior to each shipment. There are no charges for this process.
  - ii) When purchasing bulk alcohol from within Saskatchewan, the craft producer may purchase from:
    - (a) A retail store permittee as a retail customer, or
    - (b) Another Saskatchewan craft producer, where the bulk alcohol was manufactured by the producer.
    - (c) Another Saskatchewan manufacturer.
  - iii) For clarity, a craft producer cannot import or purchase bulk alcohol for re-sale to other producers/manufacturers.

### 17.3 Craft Winery

- a) General Criteria
  - i) A craft winery is a craft alcohol producer that achieves annual global production levels from 2,000 to 350,000 litres (inclusive) of wine annually within the calendar year.
    - (a) See Section 1(f) of this Chapter for the definition of wine.
    - (b) Mead and sake are classified as wine products.
    - (c) SLGA may choose to evaluate the product in order to make a determination as to whether the product will be classified as wine or in a different category.
    - (d) For the purposes of this manual, wine does not include beverage alcohol fermented solely or primarily from malted grains or apples. *For more information about manufacturing beer, refer to Section 17.1 of this Chapter. For more information about manufacturing cider, refer to Section 17.4 of this Chapter.*
- b) Production Requirements

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- i) All product is to be produced under the following requirements of the applicable craft producer permit type:
- (a) Type 1:
    - (i) Press and ferment 100% of the alcohol by volume of the product starting with whole fruit, honey and/or agricultural products on-site at your permitted manufacturing facility.
  - (b) Type 2:
    - (i) A minimum of 65% of the alcohol by volume is created through fermentation on-site starting from whole fruit, honey, agricultural products or from bulk juice, at your permitted manufacturing facility.
    - (ii) The remaining inputs, to a maximum of 35% of the finished product's total alcohol by volume, may consist of the addition of wine purchased from:
      - a. A retail store as a retail customer;
      - b. Another craft alcohol producer; or
      - c. SLGA, through SLGA's special order process.
    - (iii) If a Type 2 craft winery intends to use spirits to fortify wine, it cannot exceed 35% of the finished product's total alcohol by volume. A craft winery may purchase spirits for fortifying wine:
      - a. In accordance with the process set out in Section 17.2 (d) of this Chapter.
      - b. At a retail store as a retail customer;
      - c. From another craft alcohol producer, ; or
      - d. From SLGA, through SLGA's special order process
- c) Calculation of Production Levies, Mark-up, Taxes, and Duties
- i) The craft winery is responsible to pay all charges, taxes, and duties as prescribed by the applicable authority.
  - ii) SLGA production levy and mark-up rates for wine produced by a craft alcohol producer are as follows:
    - (a) If sold directly by the craft alcohol producer, production levy on a per litre basis is charged. *For more information on production levy rates, refer to <https://www.slga.com/liquor/for-craft-producers>.*
    - (b) If sold through SLGA's wholesale distribution system, or a specialty liquor warehouse, SLGA applies a mark-up based on a per cent of landed cost (landed cost would generally include manufacturer's production, packaging, and freight costs and profit margin, as well as Federal Excise Duty), according to the schedule: *For more information on mark-up rates, refer to <https://www.slga.com/liquor/for-craft-producers>*
  - iii) When annual global production of wine exceeds the 350,000 litre maximum production limit:
    - (a) The winery is now classified as a national winery. Craft benefits are not available
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- to the national winery.
- (b) A national winery is a beverage alcohol producer that achieves annual global production levels exceeding 350,000 litres of wine.
  - (c) The SLGA national mark-up applies on all sales in Saskatchewan, commencing the month following that in which the threshold is reached.
  - (d) A revised manufacturer permit will be issued to reflect the new national winery classification.
- iv) Flavouring, bottling and packaging bulk alcohol are activities that require a bottling manufacturer permit. This type of production is not considered craft alcohol. Within Saskatchewan, the product may only be sold through SLGA Distribution Centre or a SLGA approved specialty liquor warehouse, subject to full mark-up rates. If exported, then the mark-up does not apply. *For more information about the bottling manufacturer permit, refer to Section 23 of this Chapter.*
  - v) *For more information about the calculation and payment of charges, taxes, and duties, refer to a list of contact persons, telephone numbers, and addresses in the Appendix, Section A1.*

#### 17.4 Craft Cidery

- a) General Criteria
  - i) A craft cidery is a craft alcohol producer that achieves annual global production levels from 2,000 to 350,000 litres (inclusive) of cider annually within the calendar year.
    - (a) See Section 1(f) of this Chapter for the definition of cider.
    - (b) SLGA may choose to evaluate the product in order to make a determination as to whether the product will be classified as a cider or in a different product category.
- b) Production Requirements
  - i) All product is to be produced under the following requirements of your craft manufacturer permit type:
    - (a) Type 1:
      - (i) Press and ferment 100% of the alcohol by volume of the product starting with whole apples on-site at your permitted manufacturing facility.
    - (b) Type 2:
      - (i) A minimum of 65% of the alcohol by volume is created through fermentation on-site starting from whole apples or bulk juice, at your permitted manufacturing facility.
      - (ii) The remaining inputs, to a maximum of 35% of the finished product's total alcohol by volume, may consist of addition of cider purchased

from:

- a. A retail store as a retail customer;
- b. Another Saskatchewan craft alcohol producer; or
- c. SLGA, through SLGA's special order process.

(iii) If a Type 2 cider craft alcohol producer intends to use spirits to fortify their products, it cannot exceed 35% of the finished product's total alcohol by volume. A cider craft alcohol producer may purchase alcohol for fortifying cider in accordance with the process set out in Section 17.2(d) of this Chapter.

- a. In accordance with the process set out in Section 17.2 (d) of this Chapter.
- b. A retail store as a retail customer;
- c. Another craft alcohol producer, ; or
- d. SGA, through SLGA's special order process

c) Calculation of Production Levies, Mark-up, Taxes, and Duties

- i) The craft cider alcohol producer is responsible to pay all charges, taxes, and duties as prescribed by the applicable authority.
- ii) SLGA production levy and mark-up rates for cider produced by a craft alcohol producer are as follows:
  - (a) If sold directly by the craft alcohol producer, production levy on a per litre basis is charged: *For more information on production levy rates, refer to <https://www.slga.com/liquor/for-craft-producers>*
  - (b) If sold through SLGA's wholesale distribution system or a specialty liquor warehouse, SLGA will apply a mark-up based on a per cent of landed cost (landed cost would generally include manufacturer's production, packaging, and freight costs and profit margin, as well as Federal Excise Duty), according to the schedule. *For more information on mark-up rates, refer to <https://www.slga.com/liquor/for-craft-producers>*
- iii) When annual global production of cider exceeds the 350,000 litre maximum production limit:
  - (a) The cidery is now classified as a national cidery. Craft benefits are not available to the national cidery.
  - (b) A national cidery is a beverage alcohol producer that achieves annual global production levels exceeding 350,000 litres of cider.
  - (c) The SLGA national mark-up applies on all sales in Saskatchewan, commencing the month following that in which the threshold is reached.
  - (d) A revised manufacturer permit will be issued to reflect the new national cidery classification.

- iv) Flavouring, bottling and packaging bulk alcohol are activities that require a bottling manufacturer permit. This type of production is not considered craft alcohol. Within Saskatchewan, the product may only be sold through SLGA Distribution Centre or a SLGA approved specialty liquor warehouse, subject to full mark-up rates. If exported, then the mark-up does not apply. *For more information about the bottling manufacturer permit, refer to Section 23 of this Chapter.*
- v) *For more information about the calculation and payment of charges, taxes, and duties, refer to a list of contact persons, telephone numbers, and addresses in the Appendix, Section A1.*

## 17.5 Craft Refreshments Producer

- a) General Criteria
  - i) A craft refreshments producer is a craft alcohol producer that achieves annual global production levels from 2,000 to 350,000 litres (inclusive) of refreshment beverages annually within the calendar year.
    - (a) See Section 1(f) of this Chapter for the definition of refreshment beverage.
    - (b) SLGA may choose to evaluate the product in order to make a determination as to whether the product will be classified as a refreshment beverage or in a different product category.
- b) Production Requirements
  - i) All product is to be produced under the following requirements of your craft manufacturer permit type:
    - (a) Type 1:
      - (i) Use of base alcohol that was produced in compliance with the Type 1 permit requirements (i.e., beer, spirits, wine, cider).
    - (b) Type 2:
      - (i) Use of base alcohol that was produced in compliance with the Type 2 permit requirements (i.e., beer, spirits, wine, cider).
- c) Calculation of Production Levies, Mark-up, Taxes, and Duties
  - i) The craft refreshments producer is responsible to pay all charges, taxes, and duties as prescribed by the applicable authority.
  - ii) SLGA production levy and mark-up rates for craft refreshment beverages produced by a craft alcohol producer are as follows:
    - (a) If sold directly by the craft alcohol producer, production levy on a per litre basis is charged: *For more information on production levy rates, refer to <https://www.slga.com/liquor/for-craft-producers>*
    - (b) If sold through SLGA's wholesale distribution system or a specialty liquor warehouse, SLGA will apply a mark-up based on a per cent of landed cost (landed cost would generally include manufacturer's production, packaging, and freight costs and profit margin, as well as Federal Excise Duty), according to the schedule. *For more information on mark-up rates, refer to*

<https://www.slga.com/liquor/for-craft-producers>

- iii) When annual global production of refreshments exceeds the 350,000 litre maximum production limit:
  - (a) The refreshments producer is now classified as a national refreshments producer. Craft benefits are not available to a national refreshments producer.
  - (b) A national refreshments producer is a beverage alcohol producer that achieves annual global production levels exceeding 350,000 litres of refreshments.
  - (c) The SLGA national mark-up applies on all sales in Saskatchewan, commencing the month following that in which the threshold is reached.
  - (d) A revised manufacturer permit will be issued to reflect the new national refreshments classification.
- iv) Flavouring, bottling and packaging bulk alcohol are activities that require a bottling manufacturer permit. This type of production is not considered craft alcohol. Within Saskatchewan, the product may only be sold through SLGA Distribution Centre or a SLGA approved specialty liquor warehouse, subject to full mark-up rates. If exported, then the mark-up does not apply. *For more information about the bottling manufacturer permit, refer to Section 23 of this Chapter.*
- v) *For more information about the calculation and payment of charges, taxes, and duties, refer to a list of contact persons, telephone numbers, and addresses in the Appendix, Section A1.*

## 18. Pricing by Craft Alcohol Producers

- a) All products must have an established display price. The display price may, but is not required to, include all applicable provincial and federal taxes and levies.
- b) Retail sales, including sales made to special occasion permittees and directly to the public, must be priced in compliance with the Social Reference Price established by SLGA.
- c) Wholesale prices for sales to retail stores, commercial permittees, and other craft alcohol producers may be lower than the Social Reference Price, but must comply with SLGA's policy on inducements by manufacturers.
- d) *For more information about Social Reference Prices, refer to the Appendix, Section A7. For more information about manufacturer inducements, refer to Chapter V, Section 4 of this manual.*

## 19. Contract Manufacturing by Craft Alcohol Producers

- a) Policy
  - i) Saskatchewan craft alcohol producers may enter into contracts to make alcohol products that are branded as the product of a different alcohol producer. All requirements of the Saskatchewan craft alcohol producer's permit remain in effect. A

Saskatchewan craft alcohol producer can contract with:

- (a) Another Saskatchewan craft alcohol producer; or
- (b) A non-permittee contractee.

b) Definitions

- i) Contractor: A Saskatchewan craft alcohol producer who agrees to manufacture alcohol product(s) for another entity who brands the product as their own.
- ii) Contractee: A Saskatchewan craft alcohol producer who contracts with another Saskatchewan craft manufacturer to produce its products.
  - (a) The contractee must meet minimum onsite production requirements at their own permitted manufacturing site.
- iii) Non-Permittee Contractee: An individual or entity (not including a contractee identified above) located within or outside of Saskatchewan who contracts with a Saskatchewan craft alcohol producer to produce product for them and satisfies the following criteria.
  - (a) The non-permittee contractee cannot manufacture, possess, distribute or sell any of the alcohol produced under the contract.
  - (b) The non-permittee contractee must have global annual production/global annual sales that meet SLGA's defined minimum and maximum production limits for a craft alcohol producer.

c) General Requirements:

- i) The contractor must make the product on behalf of the contractee/non-permittee contractee. The contractee/non-permittee contractee cannot operate the contractor's facility to produce their own product.
- ii) The contractor must always be present on site when manufacturing the product.
- iii) The contractor can only manufacture a product category of alcohol they are permitted to produce.
- iv) The contractor, contractee and non-permittee contractee are not permitted to blend and bottle bulk alcohol through a contract manufacturing arrangement.

d) Requirements with a Non-Permittee Contractee

- i) The contractor owns and possesses the alcohol until it is sold to a commercial permittee, retail store permittee, special occasion permittee or the public.
- ii) The contractor conducts all sales of the product.
- iii) The contractor stores the alcohol at their establishment or at their permitted offsite storage location that is under their care and control.
- iv) The contractor is responsible for any advertising of the product, including websites.
- v) The contractor may hire the person who has requested the alcohol be manufactured as a marketing representative.
- vi) The contractor assumes all responsibility for any actions of the non-permittee

contractee that are non-compliant with Saskatchewan liquor laws in relation to this product.

- e) Labelling Requirements
  - i) The contractor must include their name and location on the label in a manner that clearly identifies them as the manufacturer.
- f) Reporting Requirements
  - i) The contractor must report contract manufactured products on their monthly production report and pay the associated production levy. Contract manufactured products apply to the contractor's global production limit.
  - ii) If the contractor and contractee are both Saskatchewan craft alcohol producers, both the contractor and contractee must report the contract manufactured products on their monthly production report. Contract manufactured products apply to the contractor's and contractee's respective global production limits. Note: only the contractor pays the associated production levy.
  - iii) The non-permittee contractee must submit an annual declaration to SLGA, identifying their global annual production/annual sales for the previous year to confirm they are eligible for the craft benefits.
  - iv) The contractor, contractee and non-permittee contractee must keep all relevant records of the contract manufactured product on-site and available for inspection for two years.

## **20. Collaboration Manufacturing by Craft Alcohol Producers**

- a) Policy
  - i) Saskatchewan craft alcohol producers may participate in collaboration manufacturing based on the terms outlined below. All requirements of the Saskatchewan craft alcohol producer's permit remain in effect.
- b) Definitions
  - i) Collaboration Manufacturing: When two or more craft alcohol producers work together to create a product at a single production facility.
  - ii) Collaborator: A craft alcohol producer that is located within or outside of Saskatchewan that participates in collaboration manufacturing. All collaborators must meet SLGA's defined minimum and maximum production limits for craft production.
  - iii) Host Manufacturer: The manufacturing facility permitted by SLGA, which hosts the collaborators to create a product.
- c) General Requirements
  - i) The host manufacturer must always be present on site when making the product.
  - ii) The product from the collaboration is owned by the host manufacturer.
- d) Labelling Requirements

- i) The host manufacturer must include their name and location on the label in a manner that clearly identifies them as the manufacturer.
  - ii) All collaborators and/or applicable liquor association may be identified on the label.
- e) Reporting Requirements
- i) The host manufacturer must report the total product volume of the collaboration to SLGA on their monthly production form.
  - ii) Payment of the production levy is the responsibility of the host manufacturer.
  - iii) Each collaborator must keep all relevant records of the collaboration on-site and available for inspection for two years; this includes details of the product that was made, the product volume and how it was divided among the collaborators.

## 21. Custom Manufacturing by Craft Alcohol Producers

- a) Policy
- i) Saskatchewan craft alcohol producers may enter into contracts with entities to produce exclusive custom alcohol products for:
    - (a) Resale, if the contractee is a commercial permittee or special occasion permittee; or
    - (b) Personal consumption, if the contractee is not a commercial permittee or special occasion permittee.
    - (c) *Refer to Section 19 of this Chapter regarding requirements for contract produced alcohol products that are produced and branded for another alcohol producer.*
- b) Definitions
- i) Contractor: A Saskatchewan craft alcohol producer who agrees to manufacture exclusive custom alcohol product(s) for an entity.
  - ii) Contractee: An entity that contracts with a Saskatchewan craft alcohol producer to manufacture exclusive alcohol products.
- c) General Requirements
- i) Contractees who are commercial permittees or special occasion permittees may sell the custom alcohol products as allowed under their respective permits.
  - ii) Contractees who are not commercial permittees or special occasion permittees cannot sell the custom alcohol products, as they are for personal consumption only.
    - (a) Contractor is required to have contractee agree in writing that the products will not be resold.
  - iii) If contractee is located outside of Saskatchewan, the contractor must be duly authorized within the receiving jurisdiction to engage in the custom manufacturing arrangement.
- d) Labelling Requirements

- i) The contractor must include their name and location on the label in a manner that clearly identifies them as the manufacturer.
- e) Reporting Requirements
  - i) The contractor must report all products on their monthly production report for purposes of capturing global production.
  - ii) The contractor must pay the production levy on all products sold.
  - iii) The contractor and contractee must keep all relevant records of the custom manufactured product on-site and available for inspection for two years.

## 22. Other Manufacturers – Regional and National Brewery, Distillery, Winery, Cidery, Refreshments Producer

- a) General Criteria
  - i) A holder of a regional or national manufacturer permit may do any or all of the following:
    - (a) Manufacture a beverage alcohol product that they are licensed to produce in a manufacturing facility located in Saskatchewan.
    - (b) Distribute its manufactured product through SLGA's wholesale distribution system or a SLGA approved specialty liquor warehouse. Product cannot be self-distributed.
    - (c) Export its manufactured product subject to compliance with export licensing and requirements in the destination province or country.
    - (d) Contract with SLGA to distribute their self-manufactured or other specialty liquor product.
  - ii) The manufacturer may only sell its manufactured product to SLGA, Private Distributors (e.g. BDL), or a SLGA approved specialty liquor warehouse, who then resell the manufactured product at a price increase to retail store permittees, or commercial permittees.
  - iii) Before a manufacturer may sell its manufactured product to SLGA, SLGA will determine whether to grant listing approval of the manufactured product. On the granting of the listing approval, SLGA allows the sale of the manufactured product at its listed price through its wholesale distribution system. Manufacturers are to contact private distributor (eg BDL) and speciality liquor warehouses directly for information on their processes. *For information on SLGA's listing policy, contact SLGA Liquor Wholesale and Distribution Division at [listings@slga.com](mailto:listings@slga.com)*
- b) Sourcing Bulk Alcohol
  - i) When purchasing bulk alcohol from outside of Saskatchewan, the manufacturer must first obtain written authorization from SLGA for the direct importation of bulk alcohol. This authorization must be requested through a written request submitted to



- [customs@slga.com](mailto:customs@slga.com) for approval prior to each shipment. There are no charges for this process.
- ii) When purchasing bulk alcohol from within Saskatchewan, the manufacturer may purchase from:
    - (a) A retail store permittee as a retail customer;
    - (b) Another Saskatchewan manufacturer, where the bulk alcohol were manufactured by the vendor; or
    - (c) Another Saskatchewan manufacturer.
  - iii) A manufacturer cannot import or purchase bulk alcohol for re-sale to other producers/manufacturers.

### 23. Other Manufacturers – Bottling

- a) General Criteria
  - i) A bottling manufacturer may transfer beverage alcohol lawfully made by another person into a container such as a bottle, can, box or other receptacle used for holding beverage alcohol, and seal and label the container of beverage alcohol and any packaging that holds the container. The permittee may blend the beverage alcohol, with flavouring or other beverage alcohol, before bottling the beverage alcohol.
  - ii) A holder of a bottling manufacturer permit may package beverage alcohol product in a manufacturing facility located in Saskatchewan.
  - iii) A holder of a bottling manufacturer permit may only do the following:
    - (a) Distribute its product through SLGA’s wholesale distribution system or a SLGA approved specialty liquor warehouse.
    - (b) Export its product as authorized by SLGA.
- b) Sourcing Bulk Alcohol
  - i) When purchasing bulk alcohol from outside Saskatchewan, the manufacturer must first obtain written authorization from SLGA for the direct importation of bulk alcohol. This authorization must be requested through a written request submitted to [customs@slga.com](mailto:customs@slga.com) for approval prior to each shipment. There are no charges for this process.
  - ii) When purchasing bulk alcohol from within Saskatchewan, the manufacturer may purchase from another Saskatchewan manufacturer.
- c) Restriction with respect to Craft Alcohol
  - i) A craft alcohol producer may obtain a bottling manufacturer permit. They cannot manufacture beverage alcohol under the bottling manufacturer permit within the same product category as their craft alcohol.
  - ii) Any beverage alcohol manufactured under a bottling manufacturer permit is not craft alcohol.
    - (a) Markup rates are applied;
    - (b) Product cannot be self-distributed. Distribution must occur through the SLGA wholesale distribution system, private distributors (e.g. BDL), or a SLGA approved third party specialty liquor warehouse;

- (c) Product cannot be sold through a craft alcohol (on-site) store or (off-site) store off-sale, or through online sales;
- (d) Product cannot be sold for on-table service at a craft alcohol producer's hospitality suite; and
- (e) Product cannot be sold at a farmers' market located in Saskatchewan.

#### 24. Futures - Craft Alcohol Producers

- a) Craft alcohol producers located within the Province of Saskatchewan who wish to engage in the selling of 'futures' should contact SLGA to confirm whether their proposed approach is compliant with the following:
  - i) A craft alcohol producer/manufacturer permittee will only be allowed to sell futures for product they are manufacturing within their facility in accordance with their manufacturing permit;
  - ii) If product is being sold by a craft alcohol producer to a retail customer, the final sale price of the product must meet the minimum social reference price at the time of purchase.
  - iii) If product is being sold by a craft alcohol producer to a commercial permittee, the final wholesale sale price can be determined by the manufacturer;
  - iv) Production levy and all applicable taxes must be paid by the manufacturer at the time of the final sale to the customer at the rate in effect when the final sale is made;
  - v) If the purchaser of the future is a commercial permittee located within the province of Saskatchewan, the commercial permittee is only allowed to sell the final product in accordance with SLGA's policies and regulations as well as any conditions listed on their commercial liquor permit.
  - vi) If the purchaser is not a commercial permittee, the purchaser can only use the product for personal consumption.
  - vii) Purchasers can sell futures back to the original manufacturer in accordance with the contract that was originally signed between the manufacturer and the purchaser at the time the original future was purchased.

#### 25. Compliance with Additional Rules and Requirements

- a) Additional Chapters in this manual describe rules and requirements that apply to the manufacturer permittee. The manufacturer permittee must also comply with these obligations.

#### 26. References

The information in this Chapter is a summary of the policies, standard terms and conditions imposed on a permit, and the key provisions of *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016*. For convenience, this Section identifies the key provisions of *The Alcohol and Gaming Regulation Act, 1997*,

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and *The Alcohol Control Regulations, 2016* for the corresponding topics in this Chapter.

#### Primary Business

- *The Alcohol and Gaming Regulation Act, 1997* – Section 2.
- *The Alcohol Control Regulations, 2016* – Sections 2, 28, 29,

#### Facility Standards

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 56, 70.

#### Quality Assurance

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 89, 124, 169.
- *The Alcohol Control Regulations, 2016* – Section 29.

#### Packaging and Labelling

- *The Alcohol Control Regulations, 2016* – Section 29.

#### Traceability Requirements

- *The Alcohol Control Regulations, 2016* – Section 29.

#### Product Recalls of Craft Alcohol

- *The Alcohol Control Regulations, 2016* – Section 29.

#### Sale of Manufactured Beverage Alcohol

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 67, 129.
- *The Alcohol Control Regulations, 2016* – Sections 4, 28, 31, 44

#### Craft Alcohol (On-site) Store and (Off-site) Off-sale

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 56, 110, 111, 113, 114, 115, 129.
- *The Alcohol Control Regulations, 2016* – Sections 28, 44, 46, 49, 50, 51.

#### Delivery

- *The Alcohol and Gaming Regulation Act, 1997* – Section 108, 129.
- *The Alcohol Control Regulations, 2016* – Sections 21, 28, 29, 49, 50.

#### Warehousing

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 44, 45, 56, 67, 96.

- *The Alcohol Control Regulations, 2016* – Sections 28, 29.

#### Record Keeping

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 94, 95.
- *The Alcohol Control Regulations, 2016* – Sections 28, 29.

#### Reporting, Production Levies, Mark-up, and Taxes

- *The Alcohol and Gaming Regulation Act, 1997* – Section 20, 88.
- *The Alcohol Control Regulations, 2016* – Section 29.

#### Hospitality Suite

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 110, 111, 113, 114, 115, 129.
- *The Alcohol Control Regulations, 2016* – Sections 31, 32, 35, 46, 49, 50, 68.

#### Sampling

- *The Alcohol and Gaming Regulation Act, 1997* – Sections
- *The Alcohol Control Regulations, 2016* – Sections

#### Craft Alcohol Producers

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 2, 67, 88.
- *The Alcohol Control Regulations, 2016* – Sections 2, 28, 29.

#### Pricing by Craft Alcohol Producers

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 14, 19.

#### Contract Manufacturing by Craft Alcohol Producers

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 20, 88, 129, 134, 135, 138.
- *The Alcohol Control Regulations, 2016* – Sections 4, 28, 29.

#### Collaboration Manufacturing by Craft Alcohol Producers

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 20, 88, 129, 134, 135, 138.
- *The Alcohol Control Regulations, 2016* – Sections 4, 28, 29.

#### Custom Manufacturing by Craft Alcohol Producers

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 20, 88, 129, 134, 135, 138.
- *The Alcohol Control Regulations, 2016* – Sections 4, 28, 29.

Other Manufacturers – Regional and National Brewery, Distillery, Winery, Cidery, Refreshments Producer

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 2, 67, 88.
- *The Alcohol Control Regulations, 2016* – Sections 2, 28, 29.

Other Manufacturers – Bottling

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 2, 67, 88.
- *The Alcohol Control Regulations, 2016* – Sections 2, 28, 29.

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## CHAPTER IV - OPERATIONS

### 1. General Information

- a) SLGA allows a permit to be issued and to remain in effect only if the operation of the establishment consistently meets the standards set out in *The Alcohol and Gaming Regulation Act, 1997*, *The Alcohol Control Regulations, 2016*, and the terms and conditions on a permit or an endorsement. If these standards are not met, SLGA may refuse to issue a permit or may impose sanctions on the manufacturer permittee, up to and including revoking the permit.

The applicant must also pay an annual permit fee, for each year that the permit is in force. The permit is issued for three years. The fee may be paid in annual installments, if desired. The annual permit fee must be paid before the granting of the permit or its renewal.

- b) This Chapter describes rules and requirements for the operation of a manufacturer's establishments.

### 2. Minors

#### General Prohibition Against Minors

- i) A minor is a person under the age of 19 years. A manufacturer permittee or its employees must not:
  - (a) sell or give beverage alcohol to a minor;
  - (b) allow a minor to consume beverage alcohol;
  - (c) allow a minor to act in the manufacturing, handling, or sale of beverage alcohol; or,
  - (d) allow a minor to be present, unless authorized by *The Alcohol and Gaming Regulation Act, 1997*, *The Alcohol Control Regulations, 2016*, or a minors endorsement on a permit.

*For more information about identifying a minor and verifying the authenticity of identification, refer to the Appendix, Sections A5 and A6.*
- ii) SLGA will grant a "minors endorsement" automatically at the time the permit is issued for minors to be present in a hospitality suite, but reserves the right to refuse or revoke such authorization in cases of non-compliance.
- iii) Minors are not be employed as staff in a permitted manufacturing facility, hospitality suite, craft alcohol (on-site) store, (off-site) off-sale or an off-site warehouse.

- iv) Minors may be employed outside of a minors-prohibited establishment (e.g. lawn care) but not inside, unless they are hired to provide emergency maintenance (e.g. plumbing, heating, etc.). Minors providing emergency maintenance must immediately proceed directly to the area where emergency service is required and exit immediately upon completion of their required services.

#### Minors Providing Entertainment in Hospitality Suites

- i) Minors may be present in a hospitality suite for the purpose of providing professional entertainment in accordance with the following restrictions:
  - (a) When minors are involved in providing professional entertainment, a portion of the premises must be clearly defined as the stage area, and liquor shall not be allowed in this defined area. All performances by minors must take place within the defined stage area, and patrons must be prohibited from entering it.
  - (b) Unless accompanied by a parent, legal guardian or spouse of legal age, minor performers may only enter the permitted establishment immediately prior to the start of the performance, must proceed directly to the stage area, and remain there for the duration of the performance.
  - (c) Unless accompanied by a parent, legal guardian or spouse of legal age, minor performers must leave the stage area and exit the permitted establishment during breaks and immediately after the performance ends.
  - (d) The exemption allowing minors to provide professional entertainment applies only to performers; all stagehands, lighting and music operators, managers, etc. must be 19 years of age or older in order to enter the permitted establishment.
- ii) The exemption allowing minors to provide professional entertainment does not apply to adult entertainment involving minimal clothing, wet clothing contests, pole dancing, burlesque, striptease, or similar performances. In the case of this type of performance, all performers must be 19 years of age or older. *For more information about restrictions on adult entertainment, refer to Section 7(b) of this Chapter.*
- iii) Rules for minors are different for each permit class. *Refer to the Commercial Liquor Permittee Policy Manual for further information pertaining to the applicable permit class.*

#### Checking Identification for Minors

- i) A manufacturer permittee or its employees must demand proof of age from a person if it appears that the person is a minor and the person:
  - (a) is attempting to enter the establishment or any adjacent areas of the manufacturing facility where minors are prohibited;

- (b) is attempting to purchase beverage alcohol; or
  - (c) is attempting to consume beverage alcohol.
- ii) If a minor or an individual who appears to be a minor fails or refuses to produce satisfactory proof of age identification, the manufacturer permittee or its employees must deny service of beverage alcohol, and if applicable, must ask the person to leave the minors-prohibited area immediately.
- iii) SLGA suggests that all manufacturer permittees adhere to SLGA's Check 25 Identification standards as an effective measure to prevent minors from purchasing beverage alcohol or accessing minors-prohibited areas.
  - (a) Under the Check 25 program, anyone who appears to be under the age of 25 years must show either:
    - (i) a government-issued photo identification with a birth date; or
    - (ii) three other pieces of identification, at least one of which must have a birth date.
- iv) SLGA considers the following to be acceptable forms of photo identification (must be current and valid):
  - (a) Photo Driver's Licence
  - (b) Firearms Licence
  - (c) Passport
  - (d) Armed Forces I.D. Card
  - (e) Government Photo I.D.
  - (f) Landed Immigrant Photo I.D.
  - (g) Certificate of Indian Status
- v) SLGA considers the following to be acceptable forms of secondary identification:
  - (a) Post-Secondary Photo I.D. Card
  - (b) Credit/Debit Card
  - (c) Birth Certificate
  - (d) An expired photo identification from the above list
- vi) The identification produced by a person should be carefully examined to ensure that:
  - (a) the photograph is authentic and has not been substituted;
  - (b) any plastic laminate has not been tampered with;
  - (c) the name and date of birth has not been altered;
  - (d) the signature is verified on photo identification to other forms of identification; and
  - (e) the authenticity of the identification is verified by comparing it to a known legitimate piece of identification. For example, compare an individual's driver's licence with your own driver's licence.
  - (f) A cell phone photo of this identification is not acceptable

*For more information about identifying a minor and verifying the authenticity of identification, refer to the Appendix, Sections A5 and A6.*



### 3. Over Serving and Intoxicated Patrons

- a) Signs of Intoxication
  - i) Common signs of intoxication include: staggering; general lack of co-ordination; inability to understand simple instructions; overly loud, boisterous behaviour; disorderly appearance; bloodshot eyes; slurred speech; inappropriate speech volume; decreased alertness; noticeably shallow breathing; or strong smell of beverage alcohol on breath.
  
- b) Manufacturer Permittee Responsibilities
  - i) A manufacturer permittee and its employees must not:
    - (a) Sell, deliver or serve beverage alcohol to a patron who is or appears to be intoxicated;
    - (b) Allow an intoxicated patron to consume beverage alcohol; or
    - (c) Allow an intoxicated person to remain in the permitted area, except in accordance with Subsection (d) below.
  - ii) A manufacturer permittee also has a broader legal responsibility with respect to intoxicated patrons. Personal injury law requires a manufacturer permittee to take measures to prevent intoxicated patrons from injuring themselves or other persons both inside and outside an establishment. If injury occurs to intoxicated patrons or others, the manufacturer permittee may be sued for significant monetary damages.  
  
*For more information about the possible legal liability resulting from intoxicated patrons, refer to an information bulletin in the Appendix, Section A3. The information bulletin is an overview of some of the legal risks concerning intoxicated patrons. A lawyer should be contacted to obtain advice about particular situations.*
  
- c) Reducing Risk of Patron Intoxication
  - i) To reduce the risk of patron intoxication, a manufacturer permittee and its employees may consider adopting the following practices:
    - (a) Promote the consumption of food, low-alcohol, or non-alcoholic drinks in the establishment.
    - (b) Train the door staff to detect early signs of intoxication and refuse entry to persons who are or appear to be intoxicated.
    - (c) Create, communicate, and enforce house rules about responsible beverage alcohol service.
  
- d) Intoxicated Patrons May Temporarily Remain in the Establishment
  - i) Where a patron appears to be intoxicated, a manufacturer permittee may allow the patron to temporarily remain in the establishment while reasonable arrangements are made to ensure the safety of the patron.
  - ii) Some examples of reasonable arrangements include:
    - (a) Having the patron wait for a taxi ride; or
    - (b) Having the patron wait until a family member or friend arrives to pick them up from the establishment.

- iii) Where possible, the manufacturer permittee should have the patron wait in a non-permitted area of the establishment where beverage alcohol service is not available.
- iv) If the patron remains within a permitted area of the establishment, the manufacturer permittee or its employee are required to monitor the patron at all times. An example of a suitable arrangement would be to have the patron wait beside a bouncer near the exit of the establishment or in a booth or area that may be easily observed by staff members.
- v) The manufacturer permittee must ensure that the patron has no access to beverage alcohol while they remain in the establishment. This would include preventing other patrons from providing beverage alcohol to the intoxicated individual.
- vi) Where the patron does not co-operate with the manufacturer permittee in making arrangements for the patron's safety, and the manufacturer permittee believes that the patron may pose a risk to him or herself or other individuals, the manufacturer permittee should contact the police.

#### 4. Monitoring

- a) Monitoring involves the frequent or constant surveillance of the entire establishment before, during, and after the hours of operation while individuals are present in the permitted establishment.
- b) Monitoring ensures that minors, intoxicated individuals, and unruly guests:
  - i) Are not served or in possession of beverage alcohol; and
  - ii) Are not located in a permitted premises where they are prohibited.
- c) The permittee must ensure that there is enough staff to effectively monitor:
  - i) All areas of the premises where liquor is consumed, sold, or served; and
  - ii) All patrons in the establishment upon arrival, during their stay, and at departure.

#### 5. Fundraising events

- a) Manufacturer permittees may allow individuals and organizations to host fundraising events in a permitted establishment, but the permittee remains responsible for ensuring that all beverage alcohol service is conducted in compliance with the requirements of the permit. Specific issues to consider include, but are not necessarily limited to:
  - i) Minor access;
  - ii) Promoting and allowing over service;
  - iii) Re-selling (the sale of alcohol by an individual or group other than the permittee and its employees);
  - iv) Minimum pricing requirements; and
  - v) Inducements.
- b) SLGA has developed the following guidelines to help manufacturer permittees that wish to

operate fundraising events in a socially responsible manner that complies with the requirements of their liquor permit:

- i) Minors may not be present at events that are focused on liquor sales and consumption, including fundraising events such as beer nights where liquor service is the main draw to attract patrons to the event. The manufacturer permittee is responsible to ensure that minors do not access such events;
- ii) Neither the permittee, the event host, nor any other party may advertise or promote an event by stating or implying that alcohol service will be “all you can drink”, or by promoting immoderate consumption. *For more information about CRTC advertising standards, see Chapter XI, Section 4 of this Manual;*
- iii) The manufacturer permittee is responsible to ensure that beverage alcohol is not served to or consumed by intoxicated individuals;
- iv) The minimum level of food service required under the permit continues to apply during any fundraising events;
- v) Patrons must not be required to make a minimum purchase of alcohol in order to attend the event;
- vi) Only the manufacturer permittee may sell beverage alcohol. The event host is prohibited from purchasing beverage alcohol from the permittee in order to re-sell it to patrons attending the event;
- vii) Upon agreement with a manufacturer permittee, an event host may sell fundraising tickets for an event held at a permitted establishment to persons of legal drinking age, and may retain all or a portion of the revenue from those ticket sales.
- viii) When beverage alcohol is included as part of the package price, the manufacturer permittee must ensure that the number of servings of beverage alcohol included in any package price is in compliance with the minimum pricing requirements, and that Liquor Consumption Tax is paid on each serving. Free drinks or drinks priced under the minimum price are prohibited; *For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.*
- ix) Manufacturer permittees, with the exception of special use sports stadiums, theatres, concert premises, and convention centre premises, are prohibited from accepting any type of inducement from a liquor manufacturer, including payments, discounts, and free product. *For more information about inducements, see Chapter XI, Section 5*

## 6. Unruly Patrons

- a) A permittee and its employees must maintain a high level of control and supervision of patrons in an establishment. Patrons must not be allowed to engage in unruly (i.e. riotous, violent, disorderly, or quarrelsome) behaviour.
- b) To minimize or diffuse unruly behaviour in an establishment, a permittee should adopt the following practices:
  - i) Develop in-house training sessions to educate employees about dealing with unruly patrons.

- ii) Create, communicate, and enforce house rules about unruly patrons.
  - iii) Require employees to wear clothing that clearly identifies them as on-duty staff.
  - iv) Ensure employees monitor the behaviour and mood of the patrons, and report to management and other employees about potential problems.
- c) Practical suggestions for dealing with an unruly patron include:
- i) Prominently display signs at entrances to an establishment outlining house rules (e.g. no weapons, unruly patrons refused beverage alcohol service, etc.);
  - ii) Enlist the aid of the patron's friends to diffuse problems;
  - iii) Firmly but politely talk to the patron to diffuse problems;
  - iv) Request the patron to leave the establishment and give him or her an opportunity to do so without using any physical force;
  - v) Contact police for assistance where warranted;
  - vi) If necessary and appropriate, cautiously restrain aggressive patrons from each other (remove patrons at different times and/or from different exits);
  - vii) Hire supervisors, security, and door staff who are diplomatic and tactful;
  - viii) Keep a detailed and accurate logbook to record all incidents; and
  - ix) Support police "walk-through" programs.
- d) Precautions must be taken when a permittee or its employee uses physical force to deal with or remove patrons from the establishment. Under the *Criminal Code of Canada*, a person can be held criminally responsible for the use of excessive force, and personal injury law also requires the removal of a patron without injury to the patron or others.
- i) If injury occurs to the patron or others, the permittee or its employees may be subject to criminal prosecution, or be sued for significant monetary damages.
  - ii) The Liquor Licensing Branch may assist a permittee with any questions about the information provided in this Manual and the permittee's responsibility under *The Alcohol and Gaming Regulation Act, 1997*. However, a lawyer should be contacted to obtain advice about particular situations.

## 7. Refusal of Admission and Removal of Persons

- a) A manufacturer permittee or its employees may forbid a person's entry or ask a person to leave the establishment. However, this right does not allow contravention of any laws such as non-compliance with *The Saskatchewan Human Rights Code*.
- b) A person who refuses to leave the manufacturer's establishment or re-enters the manufacturer's establishment on the same business day may be charged by the police for committing an offence.

- c) Precautions must be taken when a manufacturer permittee or its employees use physical force to deal with or remove patrons from the manufacturer's establishment. Under the *Criminal Code of Canada*, a person can be held criminally responsible for the use of excessive force, and personal injury law also requires the removal of a patron without injury to the patron or to others.
  - i) If injury occurs to the patron or others, the manufacturer permittee or its employee of an establishment may be subject to criminal prosecution, or be sued for significant monetary damages.

## 8. Entertainment, Games, Gambling and Sports

- a) Gaming and entertainment on premises with a liquor permit is strictly regulated. (*For more information on gaming, gambling, and entertainment including adult entertainment, striptease and nudity, refer to the Commercial Liquor Permittee Policy Manual on SLGA's website.*)

## 9. Illegal Activities

- a) In most instances, individuals that engage in illegal activities at an establishment do so without the authorization or approval of the manufacturer permittee. Examples of such activities may include:
  - i) The sale and/or use of drugs;
  - ii) Prostitution;
  - iii) Assault of a patron; or
  - iv) Carrying dangerous weapons.
- b) When a manufacturer permittee or employee of the manufacturer permittee becomes aware that illegal activities are taking place at the establishment, the manufacturer permittee may be held accountable for the activities if they do not take appropriate actions to prevent those activities from continuing.
- c) A manufacturer permittee's responsibility to address illegal activities only arises where the manufacturer permittee or employee of the manufacturer permittee becomes aware that such activities are actually taking place.
- d) When addressing illegal activities, a manufacturer permittee should not take any steps that would put themselves or their employees in danger. In most instances, the appropriate action for the manufacturer permittee will be to contact local police authorities to respond to the situation.
- e) Manufacturer permittees are encouraged to keep a written record of any instances where illegal activities are found to be occurring at the establishment and the corresponding actions taken by the manufacturer permittee to address the incident.
- f) There are a number of voluntary steps that a manufacturer permittee may consider taking

to help prevent illegal activities from occurring at the establishment, including:

- i) Providing adequate lighting in hallways, corners, entrances/exits, or other areas of the establishment that may be susceptible to illegal activities;
  - ii) Training staff to recognize signs of certain illegal activities, such as drug trafficking or drug use;
  - iii) Checking washrooms for stashed drugs or weapons each night after closing; and
  - iv) Posting signs around the premises indicating zero tolerance for illegal activities and notifying patrons that police will be contacted where the manufacturer permittee becomes aware of illegal activities.
- g) Where a manufacturer permittee finds or otherwise comes into possession of illegal substances or weapons, the manufacturer permittee should contact the police immediately.

## 10. Beverage Alcohol Purchases for Establishment

- a) Purchase of Beverage Alcohol
  - i) A craft alcohol producer's craft alcohol inventory for its on-site store, off-site off-sale and its hospitality suite, must be purchased from one of the following approved sources:
    - (a) a retail store;
    - (b) a craft (on-site) store or (off-site) off-sale;
    - (c) product from the craft alcohol producer's own inventory;
    - (d) a specialty liquor warehouse authorized to warehouse, sell on behalf of SLGA, and deliver craft alcohol (e.g. Brewer's Distributors Ltd.); and
    - (e) in the case of a sale or lease of an establishment, the craft alcohol inventory of the former owner or tenant may be purchased by the new owner or tenant.
  - ii) When purchasing an establishment's beverage alcohol inventory, a craft alcohol producer permittee must use its permit number for each beverage alcohol order.
  - iii) In addition to alcohol purchased through the above-noted legal sources, a permittee may have on the premises beverage alcohol brought by an event host to an event operating under a special occasion permit for the duration of the special occasion permit. *For more information about beverage alcohol purchases for special occasion events, refer to a list of contact persons, telephone numbers, and addresses in the Appendix, Section A1.*
- b) Illegal Sources of Beverage Alcohol

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- i) A manufacturer permittee or its employees must not allow any unauthorized or illegal beverage alcohol to be present or sold in the establishment. Examples of unauthorized or illegal beverage alcohol include:
    - (a) any beverage alcohol acquired/purchased by the manufacturer permittee from a source not listed in Subsection (a) above, including beverage alcohol purchased in other Canadian provinces or from other countries;
    - (b) homemade wine, beer, cider, or spirits (including u-brew/u-vin product);
    - (c) any beverage alcohol brought into the establishment by the manufacturer permittee, employees, patrons, or other members of the general public; and
    - (d) any beverage alcohol brought into the establishment by a liquor representative. *For more information about manufacturer sampling programs, refer to Chapter V, Section 5.*
  - ii) *The Alcohol and Gaming Regulation Act, 1997* prohibits a permittee (except for exhibitions, sports stadiums, theatres, concert premises, and convention centres, as per Alcohol Control Regulations, 2016 section 61) from being bound by an agreement to sell a particular kind or brand of beverage alcohol. For example, a permittee cannot enter into an agreement with a beverage alcohol manufacturer which requires the manufacturer's product to be sold in the establishment. *For more information about the related topic of inducements and promotional items, refer to Chapter V, Section 4.*

## 11. Dispensing, Selling and Serving Beverage Alcohol

- a) General Information
  - i) Craft alcohol producers are authorized to sell any Saskatchewan made craft alcohol in their hospitality suite, (on-site) store and (off-site) off-sale. They cannot sell non-craft beverage alcohol. Unless they have a restaurant or tavern permit, non-craft manufacturers and bottling manufacturers cannot sell any beverage alcohol in their establishments.
  - ii) A manufacturer permittee may provide full-sized servings of any beverage alcohol they are authorized to serve in their hospitality suite. Manufacturers, except craft alcohol producers, cannot charge for beverage alcohol served. The manufacturer permittee is responsible for paying the associated taxes, levies, and mark-ups based on the minimum price for beverage alcohol served at no charge. Craft manufacturers may charge for full size servings and may set the prices at their discretion provided they meet the minimum prices set by SLGA.
  - iii) To sell beverage alcohol in an establishment, a manufacturer permittee must also hold a valid licence issued under *The Liquor Consumption Tax Act*. A manufacturer permittee is prohibited from selling any beverage alcohol where the Government of Saskatchewan, Ministry of Finance, suspends or cancels the licence for failure to pay taxes, fees, and other charges.

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*For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.*

- iv) A manufacturer that is permitted to sell for on-site consumption, must sell beverage alcohol for at least the minimum prices set by SLGA. *For more information about minimum pricing for on-table sales, refer to Section 12 of this Chapter.*
  - v) No person acting in connection with the sale of beverage alcohol in an establishment may receive remuneration based upon the sales of beverage alcohol or upon anything related to such sales in the establishment.
  - vi) Except for products purchased from the (on-site) store or (off-site) off-sale products, a patron who purchases beverage alcohol in the establishment must consume it only in a permitted space within the establishment. Manufacturer permittees are required to prevent patrons from taking open beverage alcohol outside of a permitted area. Any unconsumed beverage alcohol left in the establishment by a patron must be destroyed by the craft alcohol producer.
  - vii) Any permittee may not require a patron to make a minimum alcohol purchase.
  - viii) A craft alcohol producer may not sell beverage alcohol to an individual, business, or organization to be re-sold to patrons in the manufacturer's permitted establishment (e.g. fundraising organizations, shooter sellers). All beverage alcohol must be sold directly by the craft alcohol producer and its employees, with revenue from sales returning to the craft alcohol producer.
- b) Method of Dispensing and Serving Beverage Alcohol in an Establishment
- i) Manufacturer permittees must ensure that beverage alcohol is dispensed and served in compliance with any applicable health and safety standards, and in compliance with the permittee's obligations under *The Alcohol and Gaming Regulation Act, 1997, The Alcohol Control Regulations, 2016*, and any policies and terms and conditions applicable to the permit, including:
    - (a) ensuring that information about the quantity of alcohol contained in each drink is made reasonably available to patrons; and
    - (b) ensuring that the manufacturer permittee and its employees are able to monitor and control access to and consumption of alcohol.
  - ii) Beer, wine, cider, refreshments, and miniatures of spirits may be sold and served in their original containers or dispensed into a container (glass, pitcher, carafe, mug, etc.). Manufacturer permittees or their employees must open the original container before serving it to a patron.
  - iii) In minors-prohibited premises, craft alcohol producers may use automated



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dispensing systems (for example, draught tables and automatic wine dispensers) to allow customers to self-serve beer and wine under the following conditions:

- (a) the amount of alcohol provided in a single sale must be limited, based on the number of patrons consuming that alcohol, to an amount that each patron can reasonably consume without becoming intoxicated;
  - (b) prior to each sale of alcohol, the craft alcohol producer or an employee must interact directly with the purchaser to ensure that alcohol is not being sold to or consumed by minors or intoxicated individuals; and
  - (c) the craft alcohol producer or its employees must monitor the patrons on an ongoing basis to ensure that alcohol is not being accessed or consumed by minors or intoxicated individuals.
- iv) Automated dispensing systems may not be used in premises where minors may be present.
- v) Except for miniatures, spirits must be dispensed into a container (glass, pitcher, mug, etc.) and are not to be sold or served to a patron in the original container or through an automated dispensing system.
- vi) Self-service of spirits from the bottle is prohibited. Craft alcohol producers may not allow patrons to have possession of a bottle of spirits, even if patrons are instructed that employees must pour each serving. However, craft alcohol producers may pre-sell the contents of a bottle of spirits to a patron under the following conditions:
- (a) the bottle must remain under the craft alcohol producer's or its employee's control, either through physical possession or by employing a mechanism to prevent patrons from self-serving (e.g. a locked box);
  - (b) the craft alcohol producer or an employee must dispense each serving through personal interaction with the patron;
  - (c) the craft alcohol producer ensures that intoxicated individuals do not consume beverage alcohol; and
  - (d) the craft alcohol producer ensures that patrons do not remove opened bottles of spirits from the permitted establishment. An unfinished bottle may be reserved to serve a specific patron on subsequent visits.
- vii) A craft alcohol producer must maintain a measuring and dispensing system for spirits to ensure a patron receives the amount of spirits purchased. One of the following measuring systems must be used:
- (a) a glass clearly marked by a line at the level at which the amount of spirits to be contained in the drink will be measured; or
  - (b) a mechanical or electronic measuring device.
- viii) Craft alcohol producers must ensure that patrons do not consume beverage alcohol using a vaporizer or other such device or method intended to promote rapid

intoxication.

- c) Howler and Growler Fills
  - i) Craft alcohol producers with an (on-site) store or (off-site) off-sale may sell howler and growler fills to customers for off-site consumption. *For information related to howler and growler packaging and labelling, refer to Chapter III, Section 4.*
  - ii) Only beer, cider, mead, and refreshment beverages with a maximum strength of 14.5% alcohol by volume may be sold in howlers, growlers and crowslers.
  - iii) Customers are prohibited from filling their own howlers or, growlers, or having access to taps at growler filling stations.
- d) Staff Alcohol Consumption
  - i) As a best practice, establishments and their staff should not consume beverage alcohol before or during the performance of assigned duties.
  - ii) Staff cannot be intoxicated during their shift.

## 12. Wine, Cider and High Alcohol Beer Resealing

- a) Wine, Cider, Resealing
  - i) When requested by a customer, a craft alcohol producer is to reseal at no charge a bottle of wine, or cider (at least 500 ml in size) that was purchased by the customer at the permitted establishment. This includes an auxiliary area such as a patio., This allows the customer to legally remove and transport the unfinished bottle from the premises.
- b) High Alcohol Beer Resealing
  - i) For the purposes of this Section, “high alcohol beer” is defined as beer that meets the following criteria:
    - (a) The beer must be originally packaged in a bottle at least 500 ml in size; and
    - (b) The beer must have a minimum alcohol content of 8.0 per cent.
  - i) When requested by a customer, a craft alcohol producer must reseal at no charge a bottle of high alcohol beer that was purchased by the customer at the permitted establishment. This includes an auxiliary area such as a patio. This allows the customer to legally remove and transport the unfinished bottle from the premises.
  - ii) High alcohol beer can only be resealed in the original bottle in which it was packaged by the manufacturer. Draft beer is not eligible for resealing.
- c) Additional Requirements and Information
  - i) Unfinished bottle(s) of wine, cider (at least 500 ml in size) or high alcohol beer,

including bottles that originally had a twist-off cap, are to be sealed with a:

- (a) Cork (natural or synthetic) that is flush with the top of the bottle. Craft alcohol producers may re-use the original cork by pushing it into the bottle as far as possible and then cutting off the excess;
  - (b) Twist-off cap with a tamper evident ring or twist-off cap with heat sealed shrink wrap; or the container is to be sealed so that if it has been opened, it is immediately apparent to a casual observer.
- ii) Resealing is allowed only with bottles of wine and high alcohol beer that have been served for consumption in the permitted establishment.
  - iii) Manufacturers shall not reseal coolers, spirits, cider or any beer that does not meet the definition of high alcohol beer noted in Subsection (b)(i) above.
  - iv) A resealed bottle cannot be taken to another permitted establishment and re-opened.
  - v) Patrons are required to transport resealed bottle(s) of wine and/or beer in compliance with *The Alcohol and Gaming Regulation Act, 1997* and any other applicable laws regarding the transportation and consumption of beverage alcohol in a vehicle. Craft alcohol in closed containers may be transported in a vehicle from the place at which it was lawfully obtained to a place where it may be lawfully kept or consumed.

### 13. Beverage Alcohol Pricing

- a) Minimum Price Requirement for On-Table Service
  - i) Provided that a craft alcohol producer complies with the minimum prices set by SLGA, the craft alcohol producer has the discretion to set the price for beverage alcohol in their establishment. This does not preclude the craft alcohol producers from providing samples or full-sized servings of beverage alcohol at no charge, but they are still required to pay the associated taxes, levies, and mark-up based on the minimum price for products served in this way. *For more information on samples, refer to Chapter V, Section 5. For more information on offering full-sized servings at no charge, refer to Section 10 of this Chapter.*
  - ii) Table 1 below shows the minimum price to be charged for beverage alcohol sold for on- table service.
- b) Key for Table 1
  - LCT – Liquor Consumption Tax
  - GST – Goods and Services Tax
  - Minimum Price – Minimum price for beverage alcohol sold in establishment for on-site consumption. *For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.*

**Note:** Minimum prices are subject to change by SLGA.

**Table 1: Minimum price in hospitality suite (excludes alcohol sold in containers for consumption off the premises and alcohol beverages provided at no charge)**

TYPE OF BEVERAGE ALCOHOL	MINIMUM PRICE CALCULATION			
	BASE PRICE	LCT (10%)	GST (5%)	MINIMUM PRICE
Spirits & Liqueurs (per oz.)	\$1.96	\$0.19	\$0.10	\$2.25
Bottled & Canned Beer (12 oz.)	\$1.96	\$0.19	\$0.10	\$2.25
Coolers & Bottled Pre-Mixed Drinks (12 oz.)	\$1.96	\$0.19	\$0.10	\$2.25
Draught Beer (per oz.)	\$0.14	\$0.01	\$0.01	\$0.16
Wine (per oz.)	\$0.30	\$0.03	\$0.02	\$0.35

- c) Minimum Price Requirement for Retail Sales – Social Reference Price
- i) Social Reference Price requirements apply to all sales in closed containers to individuals by craft alcohol producers. *For more information about Social Reference Prices for alcohol based on product type, container size and alcohol content, refer to the Appendix, Section A7.*
- d) Additional Pricing Standards and Price Lists
- i) Based on the minimum price requirement, additional restrictions apply, including:
- “Two for one” or equivalent promotions are allowed provided that minimum prices are charged per serving.
  - Daily price variations and price reduction for “Happy Hour” are allowed provided that minimum prices are charged per serving.
  - Coupons may be used as promotions to reduce the price of on-table and off-sale beverage alcohol provided the discount does not lower the price below the minimum pricing guidelines (for on-table sales) or the Social Reference Pricing Guidelines (for off-site consumption). Multiple coupons cannot be used to lower the price below the minimum price per serving. Coupons cannot be exchanged for cash.
  - Beverage alcohol prices cannot be established by games of chance (e.g. wheels, draws, darts, etc.).
  - Beverage alcohol must be sold by the serving. “All you can drink” service is not allowed.
- e) Promotional Packages
- i) Manufacturers permittees may offer promotional packages including beverage alcohol under the following conditions:

- (a) The package price must meet the minimum pricing guidelines for beverage alcohol, assuming no cost is allocated to the other goods/services included in the package.
- (b) Manufacturer permittees may provide both the beverage alcohol and the goods/services included in the package, or may partner with other businesses that would provide some or all of the goods/services; however, packages including beverage alcohol may be sold only by manufacturer permittees;
- (c) The manufacturer permittee must pay Liquor Consumption Tax on at least the minimum price per serving of all beverage alcohol provided as part of the package; *For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.*
- (d) Packages that do not include an overnight stay must specify a limited number of servings of beverage alcohol; All-inclusive packages that include an overnight stay in a hotel, motel, bed and breakfast, etc. are not required to specify a limit on the servings of beverage alcohol; however, minimum pricing requirements must still be met, and Liquor Consumption Tax must be paid on each drink served; *For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.*
- (e) Advertising for all-inclusive packages may not include messages such as “all you can drink” or promote immoderate consumption. *For more information about CRTC advertising standards, refer to Chapter V, Section 3 of this Manual; and*
- (f) The manufacturer permittee remains responsible for ensuring that beverage alcohol is not sold/served to or consumed by individuals who appear to be intoxicated or minors.

## 14. References

The information in this Chapter is a summary of the policies, standard terms and conditions imposed on a permit, and the key provisions of *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016*. For convenience, this Section identifies the key provisions of *The Alcohol and Gaming Regulation Act, 1997* and *The Alcohol Control Regulations, 2016* for the corresponding topics in this Chapter.

### General Information

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 38, 39, 92.
- *The Alcohol Control Regulations, 2016* – Section 6.

### Minors

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 67, 110, 111, 113, 114, 115, 129.
- *The Alcohol Control Regulations, 2016* – Section 46.

### Over Serving and Intoxicated Patrons

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- *The Alcohol and Gaming Regulation Act, 1997* – Sections 125, 126.

#### Fundraising Events

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 92, 110, 111, 113, 114, 115, 134, 138.
- *The Alcohol Control Regulations, 2016* – Section 4, 28, 29, 31.

#### Unruly Patrons

- *The Alcohol and Gaming Regulation Act, 1997* – Section 127.

#### Refusal of Admission and Removal of Persons from Establishment

- *The Alcohol and Gaming Regulation Act, 1997* – Section 122.

#### Illegal Activities

- *The Alcohol and Gaming Regulation Act, 1997* – Section 128.

#### Beverage Alcohol Purchases for Establishment

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 61, 67, 124, 129, 135.1.
- *The Alcohol Control Regulations, 2016* – Section 4, 28, 29, 32, 61.

#### Dispensing, Selling and Serving Beverage Alcohol

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 67, 71, 74, 75, 116.1.
- *The Alcohol Control Regulations, 2016* – Sections 4, 28, 31, 67, 69, 70.

#### Wine and High Alcohol Beer Resealing

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 75, 107, 109.
- *The Alcohol Control Regulations, 2016* – Section 31.

#### Beverage Alcohol Pricing

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 19, 110, 111, 113, 114, 115, 125, 126, 129, 134.
- *The Alcohol Control Regulations, 2016* – Section 31.

## CHAPTER V - ADVERTISING AND PROMOTIONS

### 1. Purpose

- a) Section 134 of *The Alcohol and Gaming Regulation Act, 1997* provides in part that no person shall make any representation to the public for the purpose of promoting the sale or consumption of beverage alcohol that is inconsistent with the advertising standards established by SLGA.

### 2. Persons Affected

- b) The beverage alcohol advertising and promotion standards apply to all persons making any representation to the public for the purpose of promoting the sale or consumption of beverage alcohol in Saskatchewan.

### 3. Advertising to the Public

- a) The advertising standards set by the Canadian Radio-television and Telecommunications Commission (CRTC) in the “Code for Broadcast Advertising of Alcoholic Beverages” shall be applied by SLGA to beverage alcohol advertising taking place in any medium in Saskatchewan. Other municipal, provincial, and federal standards may also apply. SLGA also recommends consulting legal counsel for greater clarity on compliance with CRTC Standards.
- b) The CRTC Standards prohibit beverage alcohol advertising from targeting minors. In Saskatchewan, this is interpreted to mean that no beverage alcohol advertising may be placed:
  - i) Within 200 metres of elementary or secondary schools or places of worship;
  - ii) On buses specifically intended for transporting minors;
  - iii) On websites or other media that are directed primarily at minors; or
  - iv) On television or radio at times when the audience is likely to be composed primarily of minors.
  - v) Signage consisting solely of the name of the business is not considered advertising.
- c) The CRTC Standards prohibit beverage alcohol advertising that portrays immoderate alcohol consumption. In Saskatchewan, this has been interpreted to mean that manufacturer permittees may not advertise beverage alcohol using languages, images, or concepts that promote or suggest excessive consumption. Such advertisements may also be considered by SLGA in relation to sanctions for over serving and disorderly behaviour.
- d) Manufacturer permittees are required to sell beverage alcohol in compliance with minimum pricing requirements and social reference pricing as noted in Chapter IV, Section 12 of this Manual. Advertising that includes references to beverage alcohol prices that are lower than those guidelines may be considered by SLGA in relation to sanctions for failure to meet minimum price requirements.
- e) In cases where advertising conducted by or on behalf of a manufacturer permittee is deemed

to violate the requirements of the CRTC or any other relevant municipal, provincial, or federal authority, SLGA reserves the right to impose sanctions on the liquor permit involved.

- f) CRTC Code for Broadcast Advertising
- i) Commercial messages for alcoholic beverages shall not:
- (a) attempt to influence non-drinkers of any age to drink or to purchase alcoholic beverages;
  - (b) be directed at persons under the legal drinking age, associate any such product with youth or youth symbols, or portray persons under the legal drinking age or persons who could reasonably be mistaken for such persons in a context where any such product is being shown or promoted;
  - (c) portray the product in the context of, or in relation to, an activity attractive primarily to people under the legal drinking age;
  - (d) contain an endorsement of the product, personally or by implication, either directly or indirectly, by any person, character or group who is or is likely to be a role model for minors because of a past or present position of public trust, special achievement in any field of endeavour, association with charities and/or advocacy activities benefiting children, reputation or exposure in the mass media;
  - (e) attempt to establish the product as a status symbol, a necessity for the enjoyment of life or an escape from life's problems, or attempt to establish that consumption of the product should take precedence over other activities;
  - (f) imply directly or indirectly that social acceptance, social status, personal success, or business or athletic achievement may be acquired, enhanced or reinforced through consumption of the product;
  - (g) imply directly or indirectly that the presence or consumption of alcohol is, in any way, essential to the enjoyment of an activity or an event;
  - (h) portray any such product, or its consumption, in an immoderate way;
  - (i) exaggerate the importance or effect of any aspect of the product or its packaging;
  - (j) show or use language that suggests, in any way, product misuse or product dependency, compulsive behaviour, urgency of need or urgency of use;
  - (k) use imperative language to urge people to purchase or consume the product;
  - (l) introduce the product in such a way or at such a time that it may be associated with the operation of any vehicle or conveyance requiring skill;
  - (m) introduce the product in such a way or at such a time as may associate the product with any activity requiring a significant degree of skill, care or mental alertness or involving an obvious element of danger;
  - (n) contain inducements to prefer an alcoholic beverage because of its higher alcohol content;
  - (o) refer to the feeling and effect caused by alcohol consumption or show or convey the impression, by behaviour or comportment, that the people depicted in the message are under the influence of alcohol;
  - (p) portray persons with any such product in situations in which the consumption



- of alcohol is prohibited; or
- (q) contain scenes in which any such product is consumed, or that give the impression, visually or in sound, that it is being or has been consumed.

#### 4. Inducements: Sales to Retail Store Permittees and Commercial Permittees

- a) Subject to the exceptions noted below, manufacturer permittees are prohibited from providing financial or material inducements when selling to retail store permittees and commercial permittees. Prohibited inducements include:
  - i) Payments, credits, rebates, other price reductions, or marketing/promotional activities;
  - ii) Interior decorating or renovations;
  - iii) Furniture and equipment essential to the operation of the business (including shelving);
  - iv) Vacations;
  - v) Season tickets;
  - vi) Gift cards; and
  - vii) Personal benefits that do not contribute to marketing of beverage alcohol products or improved customer experience.
- b) Non-craft manufacturer permittees may negotiate directly with other permittees to establish Limited Time Offer (LTO) prices for beverage alcohol. LTOs negotiated with permittees are subject to the following requirements:
  - i) All beverage alcohol must be obtained from an approved source;
  - ii) When purchasing beverage alcohol from the SLGA Distribution Centre, a private distributor (e.g. BDL), or a specialty liquor warehouse, rebates for LTOs must be issued to the permittee directly from the supplier, manufacturer permittee, or retail store;
  - iii) Permittees must pass on the full value of all LTOs to customers. Any LTO rebate that is retained by the permittee and not passed on to the customer in the form of reduced product pricing will be considered a prohibited inducement; and
  - iv) Details of all LTOs must be documented and such documents maintained on the premises for 2 years.
- c) Manufacturer permittees may provide legitimate promotional items to retail store permittees and commercial permittees to promote its product or products. Details of all promotional items provided by the manufacturer permittee are to be documented and such documents maintained on the premises. Acceptable promotional items include:
  - i) Items of nominal value provided by manufacturers to be included with beverage alcohol products (e.g. gift bags, corkscrews, glassware in unbreakable container);
  - ii) Up to four coolers or fridges, each no larger than 12 cubic feet;
  - iii) Branded product display stands for use in temporary product displays which last for period of less than three months;
  - iv) Brand-specific, non-essential promotional materials for use in premises or as prizes for customers; or,
  - v) Draught line cleaning services supplied directly to the permittee by the suppliers or

their agents by the supplier/agent's own staff/personnel or indirectly through an independent cleaning service that has not financial connection to the permittee. A supplier/agent is prohibited from financially reimbursing a permittee for conducting or arranging their own draught line cleaning.

- d) Manufacturer permittees may offer legitimate promotional programs or initiatives to promote its product or products. Details of all promotional programs offered by the manufacturer permittee are to be documented and such documents maintained on the premises. Acceptable promotional programs include:
- i) Up to 15% of available retail space to be used for paid temporary promotional displays that are up to 90 days in length;
  - ii) Non-essential, brand-specific signage for use in or on premises;
  - iii) Paid participation in fliers;
  - iv) Participation in manufacturer or supplier initiated billboard campaigns that promote the availability of products;
  - v) Travel and registration costs for beverage alcohol industry trips; or
  - vi) Tickets other than season tickets to sports or cultural events.
- e) Where the appropriateness of any items or services offered by a manufacturer or supplier is in question, the permittee should contact Liquor Licensing Services. *For a list of contact persons, telephone numbers, and addresses, refer to the Appendix, Section A1.*

## 5. Sampling

- a) Manufacturer permittees, and their representatives may promote beverage alcohol products by providing samples in accordance with the following policies. SLGA reserves the right to limit or prohibit any promotional activities that may appear to promote immoderate consumption or consumption by minors, or that are otherwise inconsistent with the advertising standards set by the Canadian Radio-television and Telecommunications Commission (CRTC). *For more information about CRTC advertising standards, refer to Chapter V, Section 3 of this manual.*
- i) All sample products must be purchased from a SLGA (including special order service), a retail store, or from a permitted craft alcohol (on-site) store or (off-site) off-sale. All applicable taxes, including the Liquor Consumption Tax, must be paid on all beverage alcohol used for sampling. For alcohol used for treating, sampling, cooking, and staff consumption, Liquor Consumption Tax must be paid on the cost of the alcohol paid by the manufacturer permittee or their representative, or in the case of a craft alcohol producer taking beverage alcohol from its own (on-site) store or (off-site) off-sale, on the Social Reference Price established by SLGA. *For more information about Social Reference Prices, refer to the Appendix, Section A7. For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.*
  - ii) Products used to provide samples at a permitted premises or special occasion premises (whether for consumption on premises or in closed containers for consumption away

- from the permitted premises) must be purchased by the manufacturer permittee under the permit number. Manufacturer permittees may not provide beverage alcohol to commercial permittees directly but may reimburse the permittee for the cost of such samples.
- iii) The sample sizes of beverage alcohol for on-premises consumption must not exceed the following amounts as set out in *The Alcohol Control Regulations, 2016*:
    - (a) spirit – ½ ounce or 14.25 millilitres;
    - (b) wine – 2 ounces or 57 millilitres; and
    - (c) beer or cooler – 4 ounces or 114 millilitres.
  - iv) To promote products, a manufacturer permittee may provide samples at no charge to patrons for consumption in the permitted premises.
  - v) To promote products, a manufacturer’s representative may, with the consent of the manufacturer permittee, commercial, retail, or special occasion permittee, as the case may be, purchase sample products from the manufacturer permittee, commercial, retail, or special occasion permittee to provide to patrons for consumption in:
    - (a) a retail store;
    - (b) a special use-permitted premises with a trade show endorsement;
    - (c) a craft alcohol producer’s (off-site) off-sale area; or
    - (d) a premises subject to a sale trade show special occasion permit.
  - vi) To promote products, a manufacturer’s representative may purchase sample products from a retail store or craft alcohol producers (on-site) store or (off-site) off-sale in closed containers for consumption away from the establishment:
    - (a) to patrons in a craft alcohol (on-site) store or (off-site) off-sale of a manufacturing premises;
    - (b) to a permittee and employees of the permitted premises;
    - (c) to customers in a retail store; or
    - (d) to the owner and employees of a retail store.
  - vii) To promote products, a manufacturer’s representative may purchase sample products, in closed containers, from a retail store to provide to patrons of the store for consumption away from the store, if the samples are affixed to a beverage alcohol product purchased by the customer.
  - viii) To promote products, a craft alcohol producer with manufacturing premises located in Saskatchewan may provide samples of products produced on-site for consumption within the permitted manufacturing premises, at the craft alcohol producer’s (on-site) store or (off-site) off-sale, or at the manufacturer’s retail booth at an approved Farmers’ Market. Non-craft and bottling manufacturers may provide samples of their products within their hospitality suite. All products used for sampling must be purchased from an authorized source as outlined in Subsection (a) above. In cases where the craft alcohol producer obtains product for sampling from its craft alcohol (on-site) store or (off-site) off-sale endorsement, the production levy, Liquor Consumption Tax, and any other applicable taxes must be paid on at least the Social

Reference Price of the product. *For more information about mark-up and taxes, refer to Chapter III, Section 12. For more information about Social Reference Pricing, refer to Chapter IV, Section 12. For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.*

- ix) Where a craft alcohol producers' or non-craft manufacturer's representative offers sample products in a retail store or a craft alcohol producer's representative in a craft alcohol (on-site) store or (off-site) off-sale area for on-premises consumption under subsection (e) above, the following additional requirements and restrictions apply:
  - (a) The permittee or the employees of the permitted premises must supervise the offering of sample products by a manufacturer's representative; and
  - (b) The permittee or the employees of the permitted premises must ensure compliance with the restrictions and requirements that ordinarily apply to the service of alcohol (e.g. prohibition against service to minors, intoxicated patrons, etc.).
- x) The sampling of products at a trade show held in a special use-permitted premises or premises subject to a special occasion permit under Subsection (e) above must be conducted in accordance with the terms and conditions of the applicable trade show endorsement or special occasion permit issued by SLGA.
- xi) A permittee and an establishment's employees may receive sample products for consumption away from the permitted premises from a manufacturer's representative in accordance with Subsection (v) above.

## 6. Loyalty Programs

Subject to the limitations outlined below, craft alcohol producers may offer loyalty programs to customers.

- a) Loyalty program rewards based on beverage alcohol sales must be provided on the basis of the accumulated value of purchases made by the customer over an ongoing series of transactions and must emphasize encouraging ongoing patronage by the customer. Typically, loyalty programs track the value of purchases made by a customer by issuing a number of points (or their equivalent) to customers based on the value of a customer's purchases. The rates at which points are issued must be made available to loyalty program participants. Bonus points in association with the purchase of specified products are allowed.
- b) Loyalty program points may not be redeemed for rewards on the same day qualifying purchases are made.
- c) Loyalty programs may include rewards that are credits to be redeemed against the total amount of a customer's bill. The use of such credits to lower a customer's bill is not considered a price reduction.
- d) All promotions and advertising provided only to loyalty program members must be compliant with all other requirements relating to promotions and advertising (e.g. minimum pricing requirements and social reference pricing).

- e) Discounts related to loyalty program membership cannot be used to reduce the price of beverage alcohol below minimum pricing requirements. Punch card systems can be used to obtain a “free” beverage, as long as the total cumulative price paid exceeds minimum pricing for all products received (e.g. buy 4 growlers, get the 5<sup>th</sup> free – the total cost of the 4 growlers must meet or exceed the social reference pricing).
- f) Discounts related to loyalty program membership cannot be used to reduce the price of beverage alcohol below social reference pricing requirements. Punch card systems can be used to obtain a “no charge” beverage, as long as the total cumulative price paid exceeds minimum pricing for all products received (e.g. buy 4 growlers, get the 5<sup>th</sup> without charges – the total cost of the 4 growlers must meet or exceed the social reference pricing for five growlers.)
- g) Promotional activities that are non-transferable from one visit to the next (e.g. “2 for 1” drink specials or product bundling promotions) are not considered to be loyalty programs.

## 7. Promotional coupons/vouchers/gift cards/“give-aways”

Subject to the limitations outlined below, permittees can offer coupons/vouchers/gift cards programs to customers.

- a) Gift cards may be sold at face value for use in future purchases.
- b) Gift cards can be sold in a non-liquor business.
- c) Gift cards cannot be donated by a permittee under any circumstances.
- d) A permittee may barter gift cards with a media company for advertising. In this case, fair market value of the advertising received must, at minimum, be equal to the value of the gift cards provided.
- e) Promotional coupons/vouchers representing no more than 10 per cent of the total purchase price (e.g., \$10 off a minimum \$100 purchase) for use on the purchase of liquor are allowed. The coupon/voucher/gift card cannot be:
  - f) Used to bring the total cost of product below the social reference price (SRP) (e.g., cannot be used by a retailer that sells all or most product at SRP); and
  - g) In the case of on-table service, redeemed on the day it was obtained.
- h) Commercial permittees can cross promote with other businesses. The coupon/voucher/gift card used in the cross promotion may represent a reduction of no more than 10 per cent of the total purchase price (e.g., \$10 off a minimum \$100 purchase) when used in the purchase of liquor. The coupon/voucher/gift card cannot be:
  - i) Used to bring the total cost of product below the minimum pricing requirements or social reference price (SRP) (e.g., cannot be used by a retailer that sells all or most product at SRP); and In the case of on-table service, redeemed on the day it was obtained
  - ii) In the case of on-table service, redeemed on the day it was obtained
- i) “Give away” of alcohol on social media for number of likes, shares, comments, etc. is prohibited.

## 8. References

The information in this Chapter is a summary of the policies, standard terms and conditions imposed on a permit, and the key provisions of *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016*. For convenience, this Section identifies the key provisions of *The Alcohol and Gaming Regulation Act, 1997* and *The Alcohol Control Regulations, 2016* for the corresponding topics in this Chapter.

### Advertising to the Public

- *The Alcohol and Gaming Regulation Act, 1997* – Section 134.

### Inducements: Sales to Retail Store Permittees and Commercial Permittees

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 61, 135.1.
- *The Alcohol Control Regulations, 2016* – Section 61.

### Sampling

- *The Alcohol and Gaming Regulation Act, 1997* – Section 131.
- *The Alcohol Control Regulations, 2016* – Section 67.

## CHAPTER VI - INSPECTIONS

### 1. Overview of SLGA's Compliance Program

- a) The broad objectives of SLGA's compliance program are:
  - i) to minimize public health and safety risks associated with the manufacture, service and consumption of beverage alcohol;
  - ii) to provide an orderly environment for establishments to conduct the sale and service of beverage alcohol; and
  - iii) to maintain the integrity of the beverage alcohol industry.
- b) There are presently two compliance areas within SLGA: Liquor Inspection Services and Audit Services Branch. Each area fulfills a specific role to ensure that the establishments are complying with *The Alcohol and Gaming Regulation Act, 1997*, *The Alcohol Control Regulations, 2016*, the terms and conditions on a permit or an endorsement, and SLGA's policies.
- c) SLGA shall have the right, during normal business hours and without prior notice to the permittee, to inspect or audit, or cause to be inspected or audited the financial books, records, bookkeeping and accounting records, documents or other materials in respect of the establishment. This includes the right without limitation, to have a person or persons on the premises of the establishment or other relevant premises of the permittee, to check, verify and tabulate records and accounts, and/or to examine accounting records and procedures affecting the determination of records and accounts. The establishment and permittee shall be subject to inspections and/or audits by SLGA representatives from time to time to ensure the permittee is in compliance with the *Act, Regulations*, permit terms and conditions and all applicable policies.
- d) On inspection and/or audit, the manufacturer permittee shall provide SLGA representatives with all requested documentation and full access to the establishment, records and accounts, including any off-site warehouse spaces used by the permittee.

### 2. Compliance, Education and Training

- a) Liquor Inspection Services conducts inspections and investigations concerning the operation of existing or proposed establishments, and also offers a proactive approach to compliance by educating permittees about the regulatory requirements for the purpose of preventing violations. Manufacturer permittees may request an inspector to visit their facility for training, education, consultation and inspection purposes. An inspector may visit an establishment for the following purposes:
  - i) to ensure compliance with the regulatory scheme applicable to the establishment's operation;
  - ii) to provide one-on-one and group consultations;

- iii) to provide training and workshops on issues such as minors, identification programs, over service, and door person security for:
    - (a) new manufacturer permittees;
    - (b) manufacturer permittees with a history of operational problems reported by SLGA or other regulatory agencies; and
    - (c) other manufacturer permittees who express interest in a training seminar.
  - iv) to investigate complaints of non-compliance from the public or other regulatory agencies (e.g. police, fire, health, etc.);
  - v) to review operation standards with management and staff;
  - vi) to examine a facility's construction or renovations in order to evaluate the facility's suitability for a liquor permit; or to assist permittees by offering guidance to ensure proper operation of an establishment, or;
  - vii) to assist manufacturer permittees by offering guidance to ensure proper operation of an establishment.
- b) Where a manufacturer permittee commits an alleged violation of *The Alcohol and Gaming Regulation Act, 1997*, *The Alcohol Control Regulations, 2016*, or any terms and conditions imposed on a permit or an endorsement, the inspector investigates the violation and reports the findings. Based on the investigation's findings, SLGA may impose sanctions against a permittee. However, SLGA considers voluntary compliance as a preferred solution and therefore, an inspector may resolve minor violations by requiring a permittee to take immediate corrective action.

*To contact Liquor Inspection Services, see a list of contact in the Appendix of the Manual.*

### 3. Audit Services

- a) The Audit Services Branch ensures the financial activities of establishments are monitored in accordance with the regulatory requirements. Audits may be conducted in various areas including concerns about permittees accepting inducements from manufacturers and compliance with food- alcohol ratio sales.

*To contact the Audit Services Branch, refer to a list of contact persons, telephone numbers, and addresses in the Appendix, Section A1.*

### 4. References

The information in this Chapter is a summary of the policies, standard terms and conditions imposed on a permit, and the key provisions of *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016*. For convenience, this Section identifies the key provisions of *The Alcohol and Gaming Regulation Act, 1997* and *The Alcohol Control Regulations, 2016* for the corresponding topics in this Chapter.



Overview of SLGA's Compliance Program

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 45, 92, 95, 96.
- *The Alcohol Control Regulations, 2016* – Section 6, 29.

Compliance, Education and Training

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 38, 39, 44, 92.
- *The Alcohol Control Regulations, 2016* – Section 6.

Audit Services

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 95, 96.

## CHAPTER VII - DISCIPLINARY ACTION

### 1. General Principles

- a) SLGA monitors permittee compliance with the legal requirements and terms and conditions related to liquor permits. Disciplinary action may be taken by SLGA when a permittee is not in compliance with requirements and restrictions of their permit and forms part of the permittee's compliance record at SLGA.
- b) The enforcement of *The Alcohol and Gaming Regulation Act, 1997*, *The Alcohol Control Regulations, 2016*, and terms and conditions on a permit or an endorsement ensure the responsible sale and consumption of beverage alcohol in an establishment. SLGA imposes sanctions to protect the public and ensure future compliance.
- c) Where a permittee or its employees commit a violation, SLGA has the discretion to impose any of the following actions against the permittee:
  - i) issue a warning;
  - ii) attach new or amended terms or conditions to the permit or endorsement;
  - iii) assess an administrative penalty to a maximum of \$10,000;
  - iv) suspend a permit or endorsement; or
  - v) cancel a permit or endorsement.
- d) SLGA's decision to propose a particular sanction against a permittee is based on its evaluation of several factors, including:
  - i) the compliance history of the permittee;
  - ii) the nature of the violation and the particular facts surrounding the violation;
  - iii) the effect of any sanction on the permittee, employees of the establishment, and the public;  
and
  - iv) the sanctions imposed on other permittees who committed similar violations.
- e) SLGA uses a progressive system of disciplinary action when it proposes a sanction against a permittee. Where a permittee commits consecutive violations, SLGA typically proposes stronger sanctions for each corresponding violation. However, in cases of serious misconduct, SLGA may find the progressive system of discipline to be an unacceptable approach. In those cases, SLGA evaluates the nature of the violation, the surrounding facts and other relevant factors, and where warranted, a more severe sanction will be imposed.

Example: A general principle of SLGA's regulatory framework is the protection of minors from the negative impact of beverage alcohol use. A permittee's **first violation** of selling beverage alcohol to a **minor** will likely result in a harsher sanction (administrative penalty or permit suspension) than the one typically granted under a progressive system of discipline (warning letter).

- f) In investigating and making its decision concerning a complaint of an alleged violation, SLGA applies the following procedure:

- i) SLGA receives the complaint, which may originate from a variety of sources including the local police force, government agencies (health, fire, etc.), a competitor, or a member of the public.
- ii) Liquor Inspection Services investigates the complaint and prepares a report for the Director of the Branch. The Director reviews and evaluates all information and determines the disciplinary action, which may include a recommendation of sanction to SLGA's Vice President, Regulatory Services Division.
- iii) If the Vice President is satisfied that a violation has occurred, the Vice President reviews the recommendation and makes a decision about the proposed sanction against the permittee.
- iv) If SLGA's Vice President, Regulatory Services Division proposes a sanction, the decision is communicated in writing to the permittee, and the permittee has the right to request a review of the decision to the Liquor and Gaming Licensing Commission within 15 days after receiving notice of SLGA's decision. *For more information about the role of the Commission and the review process, see Section 11 of this Chapter.*

## **2. Warning**

- a) SLGA considers voluntary compliance as the preferred solution in its enforcement program and therefore, less serious violations may be informally resolved between a permittee and an inspector.
- b) An inspector may issue a notification of non-compliance advising the permittee of a violation to be corrected.
- c) Where an inspector formally reports a violation a warning letter may be issued, if appropriate.
- d) A warning letter describes the violation and relevant facts and warns the permittee to take immediate corrective action. The establishment is monitored to ensure future compliance.

## **3. New or Amended Terms or Conditions on Permit or Endorsement**

- a) In appropriate circumstances, a violation may be resolved by imposing a specific course of conduct on the permittee by attaching terms and conditions on the permit or endorsement.
- b) SLGA may impose new terms and conditions or amend existing terms and conditions.
- c) Where the permittee finds the terms and conditions on a permit or endorsement to be unsatisfactory, the permittee has the right to request a review of SLGA's decision to the Commission. A request for a review must be filed with the Commission within 15 days after receiving notice of SLGA's decision. *For more information about the review process, see Section 11 of this Chapter.*

## **4. Administrative Penalties**

- a) SLGA is authorized to use administrative penalties as an additional enforcement tool. SLGA may assess an administrative penalty against a permittee to a maximum of \$10,000.
- b) Based on a progressive system of discipline, SLGA may propose an administrative penalty against a permittee. In cases of serious misconduct or violations such as over service or minors, SLGA may move to a stronger sanction immediately, such as an immediate

- administrative penalty, suspension or permit cancellation.
- c) *The Alcohol Control Regulations, 2016* establish monetary ranges for administrative penalties by defining specific ranges to correspond to specific violations.
- i) **A table in the Regulations highlights common violations with corresponding monetary ranges** for administrative penalties. If a permittee commits a violation listed in the table, an administrative penalty may be assessed in accordance with the monetary ranges set out in the table. *For a copy of the table, see Section 10 of this Chapter.*
  - ii) **Where a violation with a corresponding monetary range is not found in the table**, an administrative penalty may be assessed in any amount within the range of \$500 - \$10,000.
- d) Where SLGA proposes to assess an administrative penalty, SLGA will provide a written notice to a permittee outlining several particulars, including:
- i) the facts and circumstances surrounding the violation;
  - ii) the amount of the proposed administrative penalty;
  - iii) in default of payment of the proposed administrative penalty, a proposed suspension period of the permit; and
  - iv) the right to request a review of SLGA's decision.
- e) The permittee has the right to request a review of SLGA's decision to propose an administrative penalty. A request for review must be filed with the Commission within 15 days after receiving written notice of SLGA's decision. *For more information about the review process, see Section 7 of this Chapter.*
- f) Where no request for a review is filed within 15 days after receiving the notice, or where a request is filed and the Commission upholds the proposed penalty, SLGA will assess an administrative penalty against the permittee in accordance with the written notice, advising the permittee of the due date for full payment of the penalty and the alternative suspension dates if the penalty should not be paid. Where the permittee fails to make the payment by the due date, the permit is suspended for the period specified in the written notice.
- g) The administrative penalty scheme is completely separate and independent of any fines levied by the courts. *For more information about fines levied by the courts, see Section 8 of this Chapter.*

## 5. Permit or Endorsement Suspension

- a) SLGA may propose a permit or endorsement suspension where considered appropriate. A case of serious misconduct, repeated violations, or failure of other sanctions to act as a sufficient deterrent may prompt a suspension.
- b) Although the length of a proposed suspension period varies with the circumstances of each case, SLGA primarily takes into account the following factors:
- i) the nature of the non-compliance;
  - ii) the particular facts surrounding the instance of non-compliance; and
  - iii) the compliance record of the manufacturer permittee.

- c) Except in rare cases, SLGA must provide a written notice to a permittee of its decision to propose a suspension of a permit or an endorsement. The written notice outlines several particulars, including:
- i) the facts and circumstances surrounding the instance of non-compliance;
  - ii) the length of the proposed suspension period; and
  - iii) the right to request a review of SLGA's decision.
- d) The manufacturer permittee has the right to request a review of SLGA's decision to propose a suspension. A request for review must be filed with the Commission within 15 days after receiving written notice of SLGA's decision. *For more information about the review process, see Section 7 of this Chapter.*
- e) In exceptional cases, SLGA is authorized to impose an immediate suspension of a permit or an endorsement. SLGA may immediately suspend the permit or endorsement where it is considered necessary in the public interest. SLGA shall serve on the permittee a copy of the order of suspension and a notice fixing a time and place for an oral hearing by the commission. The maximum period for an immediate suspension is fifteen days and the following rights and restrictions apply:
- i) the suspension takes immediate effect.
  - ii) the Commission must conduct an oral hearing within the suspension period to determine whether or not the suspension should be revoked or extended, or whether the permit or endorsement should be cancelled. *For more information about the review process, see Section 7 of this Chapter.*
- f) When a manufacturer permit is suspended, the manufacturer permittee or owner of the warehouse in which the manufacturer permittee's beverage alcohol products are stored must immediately secure the beverage alcohol in their possession in a locked room or compartment at the premises, which is only accessible to the manufacturer permittee and their staff. SLGA may order all beverage alcohol owned by the manufacturer permittee be delivered to SLGA at the manufacturer permittee's expense. In such instances, SLGA will return, at the manufacturer permittee's expense, the beverage alcohol to the manufacturer permittee after the end of the suspension period.

## 6. Permit or Endorsement Cancellation

- a) In extreme cases, SLGA may propose a permit or endorsement cancellation. Serious violations or a complete disregard for the regulatory scheme are circumstances that may prompt a cancellation.
- b) SLGA must provide a written notice to a permittee of its decision to propose cancellation of a permit or an endorsement. The written notice outlines the facts and circumstances which justify SLGA's proposed cancellation and the permittee's right to request a review of SLGA's decision.

- c) The permittee has the right to request a review of SLGA's decision to propose a cancellation. A request for review must be filed with the Commission within 15 days after receiving written notice of SLGA's decision. *For more information about the review process, see Section 7 of this Chapter.*
- d) Where a permit is cancelled by SLGA, all beverage alcohol in the possession of the permittee is to be delivered to SLGA at the permittee's expense. SLGA evaluates the condition of the beverage alcohol and may repurchase it or make an order for its disposal.
  - i) Order all beverage alcohol owned by the manufacturer permittee to be delivered to SLGA at the manufacturer permittee's expense.
  - ii) Order all beverage alcohol owned by the manufacturer permittee to be secured at the facility where the beverage alcohol is stored. The beverage alcohol may not be removed from the facility except at the direction of SLGA.
- e) When a permit has been cancelled by SLGA:
  - i) No permit shall be issued to the person named as the permittee for at least one year;
    - i) if another permit is issued to that person and is cancelled, no permit shall be issued to the person after that time.
  - ii) No permit shall be issued with respect to the premises described in the permit for at least one month.

## 7. Liquor and Gaming Licensing Commission Review

- a) The Commission is a body created by law which functions independently from SLGA. A permittee may file a request for review with the Commission where SLGA proposes any of the following sanctions against a permittee:
  - i) attaching new or amended terms or conditions on a permit or endorsement;
  - ii) assessing an administrative penalty to a maximum of \$10,000; or
  - iii) suspending or cancelling a permit or an endorsement.
- b) A request for review must be filed with the Commission within 15 days after receiving written notice of SLGA's proposed sanction.
- c) Except in unusual situations, the Commission stays SLGA's decision pending its determination of the review. This means that any proposed sanction by SLGA is put on hold until the Commission makes its ruling on the review.
- d) The Commission must hold an oral hearing when the review relates to a proposed suspension or cancellation, or an assessment of an administrative penalty. When the review relates to the addition of new or amended terms and conditions, the Commission only holds an oral hearing if requested by the permittee when filing the request for review.
- e) If an oral hearing is held, SLGA, the permittee, the lawyers for the parties, and the public may be present and generally, the hearing resembles a court proceeding.

- f) Based on the evidence at the hearing and any written submissions, the Commission makes its ruling and communicates it to all parties. The Commission may make any ruling available to it under *The Alcohol and Gaming Regulation Act, 1997*. The Commission may confirm, vary or revoke the sanction proposed by SLGA.

## 8. Offences and Court Sanctions

- a) A permittee who violates any provision of *The Alcohol and Gaming Regulation Act, 1997* or *The Alcohol Control Regulations, 2016* is guilty of a summary conviction offence and may be liable to severe punishment. A summary offence proceeding engages the court system through charging, prosecuting and punishing a permittee.
- b) In many cases, the courts determine the appropriate punishment for an offence. However, for some offences the police may issue a ticket to a permittee with an option to enter an “out of court” guilty plea by payment of a fine. If the permittee disputes the facts and wishes to enter a not guilty plea, a trial is held before a judge.
- c) In some cases, *The Alcohol and Gaming Regulation Act, 1997* defines specific forms of punishment to correspond to specific offences. For example, where a permittee sells or gives beverage alcohol to a minor, the permittee is guilty of an offence and liable on summary conviction to:
- i) a fine of not more than \$10,000;
  - ii) imprisonment for a maximum term of two months; or
  - iii) both the fine and imprisonment described above.
- d) Where no specific form of punishment corresponds to a specific offence, the “general penalty” provision applies, which makes the permittee liable on summary conviction to:
- i) a fine to a maximum of \$10,000 for an individual;
  - ii) a fine to a maximum of \$50,000 for a corporation;
  - iii) imprisonment for a maximum term of six months; or
  - iv) both the fine and imprisonment described above.
- e) If a permittee is charged with an offence and has questions or concerns about the matter, the permittee should consult a lawyer.

## 9. Posting of Warnings and Sanctions

The names of the permittees that have received a liquor sanction will be published on a quarterly basis on SLGA’s external website at [www.slga.com](http://www.slga.com).

## 10. Monetary Ranges for Administrative Penalties

### Key for Table

- a) The provisions set out in Column 3 are the provisions of *The Alcohol and Gaming Regulation Act, 1997*

or *The Alcohol Control Regulations, 2016* that impose the requirements described in Column 2 on the permittee. Violations of the provisions set out in Column 2 may cause SLGA or on a request for review, the Commission to assess an administrative penalty.

- b) The range of an administrative penalty for a specific violation is set out in Column 4. The administrative penalty may be assessed by SLGA or on a request for review, by the Commission.

<b>Penalty Limits</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item</b>	<b>Prohibition</b>	<b>Provision</b>	<b>Penalty Limits (\$)</b>
<b>Minors (under 19 years of age)</b>			
1	Selling or giving beverage alcohol to a minor	110(1) - Act	1,000 - 10,000
2	Selling or providing beverage alcohol to a person who is a minor	129(1)(c) - Act	1,000 - 10,000
3	Failing to demand proof of age when someone who appears to be a minor: (a) is attempting to purchase beverage alcohol; or (b) is not entitled to be on the premises	111(4) - Act	500 - 10,000
4	Allowing minors in premises where the presence of minors is not authorized by the Act, these regulations or the terms or conditions of the permit	111(6) - Act	500 - 10,000
5	Allowing a minor to act in any way in the sale, handling or serving of beverage alcohol in the premises	113(1)(b) - Act	500 - 10,000
6	Allowing a minor to consume beverage alcohol in premises where the presence of minors is allowed	113(1)(c) - Act	1,000 - 10,000
<b>Over serving</b>			
7	Selling or supplying beverage alcohol to a person who appears intoxicated	125 - Act	1,000 - 10,000
8	Allowing a person who appears intoxicated to possess or consume beverage alcohol on the premises	126(2)(a) - Act	1,000 - 10,000
<b>Overcrowding</b>			
9	Allowing the entry of persons into a premises to exceed the maximum number of persons allowed to be present in the premises	120 - Act	500 - 10,000
<b>Sale or consumption during prescribed hours or days</b>			
10	Selling beverage alcohol or allowing its consumption on the premises except during the hours that beverage alcohol may be lawfully served and consumed	71(1) - Act	500 - 10,000



11	Selling or supplying beverage alcohol during prohibited hours or days	129(1)(d) - Act	500 - 10,000
12	Failing to ensure that the premises remain open for at least one half-hour but not longer than one hour after the lawful sale of beverage alcohol has ceased	50 - Regulations	500 - 10,000
13	Allowing persons to enter or remain in the premises when sale or consumption of beverage alcohol is prohibited	116 - Act	500 - 10,000
<b>Illegal purchase, possession or sale of beverage alcohol</b>			
14	Purchasing beverage alcohol from sources other than from the authority, a retail store, a craft alcohol producer or any other prescribed source	67(1)(a) - Act	500 - 10,000
15	Selling beverage alcohol not supplied by the authority, a retail store, a craft alcohol producer or any other prescribed source	129(1)(b) - Act	500 - 10,000
16	Having on the premises beverage alcohol not supplied by the authority, a retail store, a craft alcohol producer or any other prescribed source	129(1)(a) - Act	500 - 10,000
17	Selling beverage alcohol without holding a licence required pursuant to <i>The Liquor Consumption Tax Act</i>	4(2) - Regulations	500 - 10,000
18	Serving any of the following except at an event for which the permittee holds a particular type of special occasion permit that authorizes the service: (a) homemade beer or wine; (b) beer or wine manufactured at a u-brew or u-vin operation	129(1)(e) - Act	500 - 10,000
<b>Entertainment</b>			
19	Permitting or allowing any activity that is unlawful, may be detrimental to the orderly operation of the premises, has been prohibited by the municipality in which the premises is located, or is prescribed in the regulations	128(1) and (2) - Act	500 - 10,000
<b>Customer service</b>			
20	Failing to ensure that the food to beverage alcohol sales value ratio in the premises is at least one dollar of food sales for each dollar of beverage alcohol sales	13(1) - Regulations	500 - 10,000
21	Failing to maintain a supply of non-alcoholic beverages or food for customers	68 - Regulations	500 - 10,000
22	Adulterating or diluting beverage alcohol or offering adulterated or diluted beverage alcohol for sale	69(3) - Regulations	500 - 10,000

23	Failing to ensure that each sample of beverage alcohol is equal to or less than the prescribed amount	67(1) - Regulations	500 - 10,000
24	Failing to adhere to policies established by the authority respecting sampling at a u-brew or u-vin operation	23(2) - Regulations	500 - 10,000
25	Allowing patrons to take or consume beverage alcohol off the premises	75(3) - Act	500 - 10,000
26	Sale of beverage alcohol in closed containers without customer purchasing food	13.1(1) - Regulations	500 - 10,000
<b>Obstruction</b>			
27	Refusing to allow an officer access to the permittee's premises, books, records or other documents for the purpose of making an inspection	45(1) - Act	500 - 10,000
28	Allowing a person who appears to be intoxicated to remain in the premises in a manner that is not in accordance with standards set by the authority	126(2)(b) - Act	500 - 10,000

## 11. References

The information in this Chapter is a summary of the policies, standard terms and conditions imposed on a permit, and the key provisions of *The Alcohol and Gaming Regulation Act, 1997*, and *The Alcohol Control Regulations, 2016*. For convenience, this section identifies the key provisions of *The Alcohol and Gaming Regulation Act, 1997* and *The Alcohol Control Regulations, 2016* for the corresponding topics in this Chapter.

### General Principles

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 38, 39, 44, 92.

### New or Amended Terms or Conditions on Permit

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 19(1)(a.1), 26, 27, 28, 29, 30, 31, 32, 47.

### Administrative Penalties

- *The Alcohol and Gaming Regulation Act, 1997* – Section 39.1.
- *The Alcohol Control Regulations, 2016* – Section 80.

### Permit Suspension

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 19(f), 30, 31, 32, 33, 37, 44(b).

### Permit Cancellation

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 19(j), 30, 31, 32, 33, 44(b), 64, 65.

### Commission Review

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 21, 26, 27, 28, 29, 30, 31, 32, 35, 36, 37, 39.1.

### Offences and Court Sanctions

- *The Alcohol and Gaming Regulation Act, 1997* – Sections 110, 111, 113, 115, 138, 13

## Appendix

### A1. Saskatchewan Liquor and Gaming Authority Contacts

**Audit Services** (306) 787-8615  
*Fax:* (306) 787-8612

#### Liquor Licensing and Inspection Services

##### Branch: Inspection Services

Compliance, Inspections, Investigations,  
and Complaints

*Regina:* (306) 787-1896  
*Fax:* (306) 798-0052  
 Saskatoon: (306) 933-7530  
*Fax:* (306) 933-7532

#### Liquor Permit Inquiries

Commercial and Special Occasion Permits

Toll Free 1-800-667-7565  
 Regina (306) 787-5563  
*Fax:* (306) 787-8981

#### Liquor Licensing and Inspection Services

##### Branch

Director  
 Manager, Licensing Services

(306) 787-8637  
 (306) 787-4190

#### Liquor Wholesale & Distribution Division

Director. Sk. Craft Alcohol Program

(306) 550-3134

#### Liquor and Gaming Licensing Commission (Request for Review of SLGA Decisions)

(306) 787-1746  
*Fax:* (306) 798-0653

#### SLGA Website

[www.slga.com](http://www.slga.com)

#### Mailing Address - Regina

Saskatchewan Liquor and Gaming Authority  
 Liquor Licensing and Inspection Services Branch  
 P.O. Box 5054  
 REGINA SK S4P 3M3

#### Street Address – Regina

Saskatchewan Liquor and Gaming Authority  
 Liquor Licensing and Inspection Services  
 Branch  
 12<sup>th</sup> Floor, North Canadian Oils Building 2500  
 Victoria Avenue  
 REGINA SK S4P 3X3

**Saskatoon Office**

201 CN Towers  
Midtown Plaza  
201 1<sup>st</sup> Avenue South  
SASKATOON SK S7K 2H6

**A2. External Contacts****Canadian Food Inspection Agency (CFIA)**

301-1800 11<sup>th</sup> Ave.  
REGINA SK S4P 4E3

(306) 780-5180  
Fax: (306) 780-5177

**Federal Excise Duty (Manufacturing)**

Canada Revenue Agency  
Excise Duty Manager  
Room 720 220-4<sup>th</sup> Avenue S.E.  
CALGARY AB T2G 0L1

(403) 231-4124  
Fax: (403) 292-4075  
[www.cra.gc.ca](http://www.cra.gc.ca)

**Federal Excise Tax (GST)**

Canada Revenue Agency  
PO Box 557  
1758 Hamilton St.  
REGINA SK S4P 2B6

Toll Free 1-800-959-5525  
[www.cra.gc.ca](http://www.cra.gc.ca)

**Liquor Consumption Tax (LCT)**

Ministry of Finance  
2350 Albert St.  
REGINA SK S4P 4A6

Toll Free 1-800-667-6102  
(306) 787-6645  
Fax: (306) 787-9644

**Building Standards and Licensing Branch**

100 – 1855 Victoria Ave  
REGINA SK S4P 3T2

(306) 787-4113  
BuildingStandards@gov.sk.ca

**Provincial Sales Tax (PST)**

Ministry of Finance  
2350 Albert St.  
REGINA SK S4P 4A6

Toll Free 1-800-667-6102  
(306) 787-6645  
Fax: (306) 787-9644

**“Serve It Right” Server Intervention Course**

Saskatchewan Tourism Education Council  
202 4<sup>th</sup> Ave. N.  
SASKATOON SK S7K 0K1

Toll Free 1-800-331-1529  
(306) 933-5900  
Fax: (306) 933-6250  
[www.sirs.ca](http://www.sirs.ca)

**Boiler and Pressure Vessel Licensing** Technical  
Safety Authority of Saskatchewan Boiler &  
Pressure Vessel Safety  
330 – 1855 Victoria Ave  
REGINA SK S4P 3T2

Toll Free 1-866-530-8599  
(306) 798-7111  
*Fax: (306) 787-9273*

For additional contacts, please visit [www.slga.com](http://www.slga.com).

### **A3. Manufacturer permittee Liability for Actions of Patrons**

This is intended as an overview of potential liability issues. For advice on specific situations, contact legal counsel.

There are three typical scenarios in which permitted establishments may attract liability:

1. Where a patron injures himself either while inside the premises or in an auto accident after drinking beverage alcohol in the premises;
2. A patron injures a third party following an auto accident after drinking beverage alcohol in the premises with the third party either being a passenger in the same vehicle or passenger or driver of a third party vehicle; or
3. Circumstances where the manufacturer permittee injures a patron intentionally, such as where a bouncer injures a patron while removing him from the premises.

The following will address each of these three circumstances.

#### **1. Patron Injures Self**

The leading case in this area is the Supreme Court of Canada decision of *Jorden House v. Menow* (1973), 38 D.L.R. (3d) 105. In this case a drunk patron left the bar and was injured while walking home along the highway. The patron was a “regular” and his drinking habits and behaviour were familiar to the staff.

The court concluded that the hotel had a higher duty of care to those patrons that were known to them. The court determined that the hotel might be required to take positive steps to protect such a patron against injury to himself.

In considering whether a duty of care was owed to an intoxicated patron, the court found that the existence of the invitor/invitee relationship and knowledge of the patron’s intoxicated condition made it a duty. The court was also of the opinion that the risk of harm to the patron was foreseeable.

Once a duty of care was established, the courts dealt with the requisite standard of care. It decided that the occupier was required to take some positive action because of the existence of a “special relationship” between the parties. This special relationship arose as a result of two factors:

- a) an awareness of the patron’s level of intoxication;
- b) the commercial nature of the enterprise (i.e. selling liquor for profit).

#### **2. Patron Injures Third Party**

The Supreme Court decision in *Stewart v. Petite* (1995), I.S.C.R. 131 dealt with a situation in which an intoxicated patron caused injury to a third party. This decision follows several lower court decisions in which permittees were held liable for injuries caused to third parties by intoxicated persons.

This decision does not place any greater liability on permittees than the previous decisions, but it was the first time the Supreme Court of Canada dealt with this situation.

The significance of this case is that the decision provides a clear description of the duty that an occupier owes to the public. The court placed a positive duty in permittees to actually prevent an intoxicated person from causing harm to a third party. The occupier is, however, still able to rely upon the foreseeability of the risk as a defence. If the risk of harm is too remote, it is unlikely that the occupier will be held liable.

The court stated that a permittee's liability does not flow from observing by itself, but also, that the injury to the third party must be foreseeable.

In this case, the permittee was aware that the patron consumed between 10 and 14 ounces of alcohol (a running tab had been kept). The patron did not show any signs of intoxication, but nevertheless, a positive duty was found to exist and the patron was obliged to eliminate the risk of harm to third parties. In this case, the permittee would have been liable if he had not taken positive steps to prevent the patron from driving.

It was irrelevant whether or not the patron exhibited signs of intoxication. The key is whether the permittee ought to have known of the patron's intoxication.

The court also stated that a permittee could not absolve itself from responsibility by virtue of the way in which the establishment operated. For example, if the permittee was operating a stand up bar where it was more difficult to keep track of the consumption, this could not be used as an excuse. In this case, the permittee was relieved of liability due to the fact that the defendant driver left the establishment with two sober persons (one of whom became the victim) and it was reasonable for him to assume that the intoxicated defendant was now in the care of other sober persons.

Thus if a permittee has a situation where the patron has become impaired, the permittee should take positive steps to ensure that the individual does not drive, such as arranging for a taxi or having the person placed in someone else's car who is sober.

### **3. Occupier Injures Patron**

In the Saskatchewan Queen's Bench decision of *Waselick v. Bronze Motor Inn Ltd.* (1987), 55 Sask.R.225, the court dealt with a situation wherein an intoxicated patron was injured by the hotel's bouncers. The court found that:

- a) The hotel owner must use reasonable care to prevent damage from unusual danger which he knows or ought to know exists;
- b) Co-existent with this duty to the intoxicated patron, the occupier owes a duty to other patrons;
- c) Occupiers have a right to protect their property;
- d) No liability will attach to the occupier as long as no more force than is necessary in the circumstances is used to restrain or remove the intoxicated patron.



**This is intended as an overview of host liability issues. Manufacturer permittees should contact their own legal advisor for information tailored to their individual situations.**

**A4. Manufacturer's (On-site) Store/(Off-site) Off-sale Re-sale Levy Summary Sheet**

**FOR THE MONTH OF \_\_\_\_\_**

A re-sale levy is to be collected on the Retail Price (base price plus LCT, GST and deposit) when selling beer, wine, coolers, or spirits to holders of special occasion permits. The levy is to be remitted to the Ministry of Finance, Revenue Division, along with your Liquor Consumption Tax return. *For more information about the Liquor Consumption Tax, refer to the contact information in the Appendix, Section A2.* The re-sale levy is to be calculated as follows:

DATE	SALE SPECIAL OCCASION PERMIT #	PRODUCT	RETAIL PRICE (base price plus LCT, GST and deposit)	RE-SALE LEVY RATE *	LEVY \$	TOTAL LEVY
<i>Example: Jan. 5/15</i>	<i>12345</i>	<i>Beer</i>	<i>\$ 246.00</i>	<i>10%</i>	<i>\$ 24.60</i>	
<i>Jan. 5/15</i>	<i>12345</i>	<i>Wine/Coolers</i>	<i>\$ 89.90</i>	<i>14%</i>	<i>\$ 12.59</i>	
<i>Jan. 5/15</i>	<i>12345</i>	<i>Spirits</i>	<i>\$ 137.95</i>	<i>18%</i>	<i>\$ 24.83</i>	<i>\$ 62.02</i>

		<b>Beer</b>		<b>10%</b>		
		<b>Wine/Coolers</b>		<b>14%</b>		
		<b>Spirits</b>		<b>18%</b>		

		<b>Beer</b>		<b>10%</b>		
		<b>Wine/Coolers</b>		<b>14%</b>		
		<b>Spirits</b>		<b>18%</b>		

		<b>Beer</b>		<b>10%</b>		
		<b>Wine/Coolers</b>		<b>14%</b>		
		<b>Spirits</b>		<b>18%</b>		

		<b>Beer</b>		<b>10%</b>		
		<b>Wine/Coolers</b>		<b>14%</b>		
		<b>Spirits</b>		<b>18%</b>		

		<b>Beer</b>		<b>10%</b>		
		<b>Wine/Coolers</b>		<b>14%</b>		
		<b>Spirits</b>		<b>18%</b>		

**\*\*ACCUMULATED MONTHLY TOTAL**      \$

Note: For the purposes of this form, beer includes bottles, kegs and canned product.  
Returned amounts should be indicated as negative amounts.

\* The re-sale levy rates have been reduced for off-sale outlets to facilitate the calculation on the Retail Price versus the Base Price.

\*\* Enter this amount on Line 3 of your Liquor Consumption Tax Return.

Please retain this form for your records and in the event of an audit.

Page \_\_\_\_\_

## A5. Identifying a Minor and Verifying the Authenticity of Identification

In Saskatchewan, anyone under the age of 19 is a minor. Minors are not permitted to be in possession of, purchase, sell or consume beverage alcohol. A manufacturer permittee is responsible to ensure that beverage alcohol is not sold or served to a minor. The following information may assist a manufacturer permittee or its employees in identifying a minor.

### Physical characteristics:

- Slight physical build
  - Complexion
  - Skin surface or texture
    - Complexions can be very smooth or have a lot of acne
    - Fine facial hair on males
- Thin “unweathered” hands
- Hair & clothing styles
  - Hats worn backward or unusual head gear
  - Clothing seems inappropriate for weather conditions
- Footwear
  - Footwear seems inappropriate for someone over age 25
  - Shoes may be worn unlaced
- Fashion or fad accessories
- Jewellery
  - Pay particular attention to jewellery and accessories on both females and males that would not typically be worn by someone 25 years or age or older.
- Nervousness
  - Frequent throat-clearing
  - Unusual facial expressions
  - Lack of eye contact and/or “shifty” eye movements
- High pitched or cracking voice

### Behaviour Patterns

- Enters during peak hours
- Makes excuses for being unable to produce proper identification
- Provides counterfeit, altered, expired or stolen ID
- Uses ID borrowed from older friend or relative
- Appears nervous and avoids eye contact
- Uses slang language
- Tries to rush
- Attempts to look older and act classy or sophisticated
- Is overly-friendly with staff
- Seems over-confident and becomes over-assertive
- Typically chooses alcohol “gateway” beverages
  - Young females: sweet-flavoured or fruity malt drinks
  - Young males: beer

## How to check ID

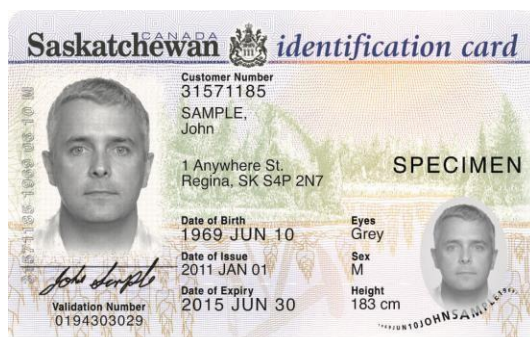
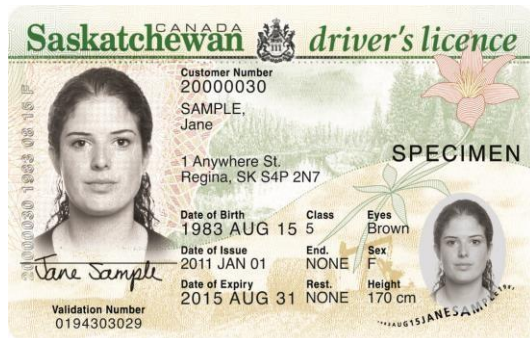
- Always ask the person to remove the ID card from their wallet or pocketbook and from protective plastic holders
- Take the ID from the person and take your time examining it
- Description and photo resemblance should match person presenting ID
- Pay particular attention to distinguishing facial features such as eye colour, large/small nose, broad face, etc.
- Look at date of birth to determine if the person appears old enough to be the person on the ID.
- Calculate that the date of birth on the ID does in fact confirm that they are 19 or

older Check to see that the ID provided proves both identity and age.

- The ID should be verifiable
- Check for tampering by handling and feeling the ID
- If irregularities are found, ask for another piece of ID

## Security Features of Saskatchewan Driver's Licences and ID Cards

Saskatchewan driver's licences and identification cards offer enhanced international standard security features that prove they are authentic.



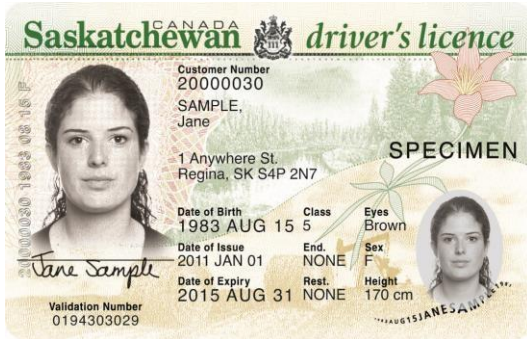
To determine if a card is authentic:

- LOOK for the following features:

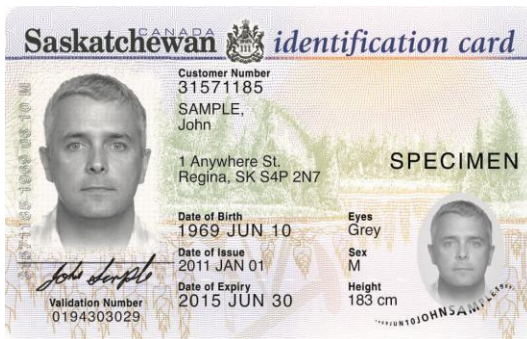
- Laser engraving – Personal information, including the photograph, wave, signature and bar code, is burned directly into the core of the card, and any attempt to alter the data will visibly damage the licence.
  - High quality photo with background – There is a fine linework pattern behind the photo, and if someone has attempted to substitute the photo there will be an obvious hard edge around the picture.
  - Signature – The cardholder’s signature is laser-engraved into the core of the card and partially overlaps the photo.
  - Clear window – The card has an oval-shaped clear window containing a secondary photo image that can be viewed from the front and back of the card. When viewed from the back of the card, the photo of the cardholder is reversed (mirror image) and the wave feature text applied on the front of the card is partially visible.
  - Wave feature – A wavy line that can be felt runs at the bottom of the window and partially into the window area. The wave is variable size text containing the cardholder’s date of birth and name.
- TOUCH the card to FEEL for the following features:
    - Tactile data fields – On the front of the card, the date of birth, date of expiry, customer number and wave are laser engraved to create the effect of raised printing that has a tactile feel when you run a finger over it.
    - Clear laser printing on the front of the card – A customer number and the date of birth and gender of the cardholder is clear laser etched along the left side of the photograph. This information is difficult to see but easy to feel.
    - Clear laser printing on the back of the card – The cardholder’s date of birth is clear laser etched in the lower middle portion on the back of the card.
  - If there is still doubt about whether a card is an authentic Saskatchewan driver’s licence or identification card, LISTEN for the sound an authentic card makes. Saskatchewan driver’s licence and identification cards are made from highly durable polycarbonate material that makes a distinct metallic sound when dropped on a hard surface such as a table or counter.

A6. Examples of Valid Government Photo Identification

Photo Driver's Licence



Non-Driver's Photo ID

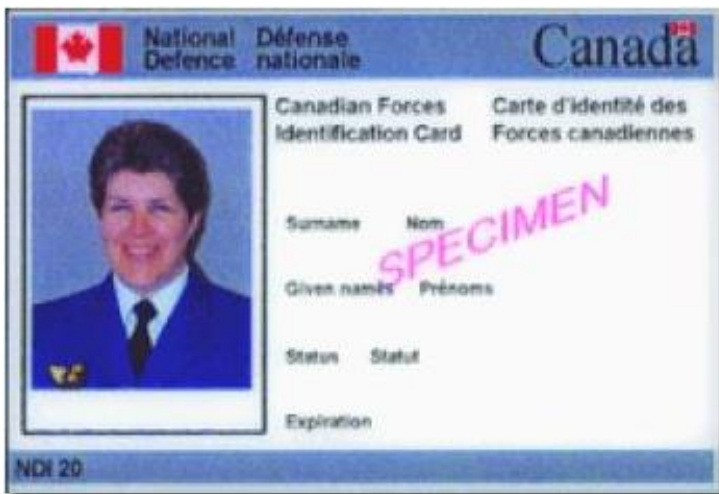




Certificate of Canadian Citizenship



Canadian Forces Identification Card





Certificate of Indian Status



FRONT



BACK

Government of Canada Permanent Resident Card



If, in your judgment, there are any doubts about the validity of the primary ID, ask for a second piece of ID.

**A7. Social Reference Pricing for Liquor Sales for Off-Site Consumption**

**Manufacturers, Restaurants and Retail Stores for off-site consumption are subject to minimum Social Reference pricing.**

*Effective April 1, 2010, retail prices for spirit, wine and beer products became subject to minimum social reference points. Social Reference Pricing (SRP) indexes minimum retail prices according to product category, size and alcohol content. Please refer to the following tables for categories and associated rates.*

<b>Social Reference Price (At Retail) for Spirit, Liqueur, Brandy and Cognac Products by Alcohol Content and Package Size</b>					
<b>Selling Unit Size (ml)</b>	<b>Alc/Vol</b>				
	<b>&lt;=22.9%</b>	<b>23% to &lt;=34.9%</b>	<b>35% to &lt;=44.9%</b>	<b>45% to &lt;=54.9%</b>	<b>55% plus</b>
3000	\$51.70	\$67.70	\$90.20	\$112.90	\$135.40
1750	\$30.80	\$40.35	\$53.75	\$67.30	\$80.70
1140	\$20.50	\$26.85	\$35.75	\$44.75	\$53.65
1000	\$18.00	\$23.55	\$31.35	\$39.25	\$47.10
750	\$13.90	\$18.20	\$24.25	\$30.35	\$36.40
700	\$12.95	\$17.00	\$22.65	\$28.35	\$33.95
500	\$10.00	\$13.10	\$17.45	\$21.85	\$26.20
375	\$7.85	\$10.30	\$13.70	\$17.15	\$20.55
120	\$2.90	\$3.80	\$5.05	\$6.30	\$7.55
50	\$1.50	\$1.95	\$2.60	\$3.25	\$3.90

<b>Social Reference Price (At Retail) for Cocktail Products by Alcohol Content and Package Size</b>					
<b>Selling Unit Size (ml)</b>	<b>Alc/Vol</b>				
	<b>&lt;= 7%</b>	<b>&gt;7% to &lt;=13.7%</b>	<b>&gt;13.7% to &lt;=22.9%</b>	<b>23% to &lt;=34.9%</b>	<b>35% plus</b>
2046	\$11.00	\$15.70	\$26.70	\$47.15	\$62.85
1750	\$9.40	\$13.40	\$22.85	\$40.35	\$53.75
1420	\$7.65	\$10.90	\$18.55	\$32.75	\$43.60
1320	\$7.10	\$10.10	\$17.20	\$30.45	\$40.55
1140	\$6.25	\$8.90	\$15.20	\$26.85	\$35.75
750	\$4.25	\$6.05	\$10.30	\$18.20	\$24.25
375	\$2.40	\$3.40	\$5.80	\$10.30	\$13.70
270	\$1.80	\$2.55	\$4.40	\$7.75	\$10.30
200	\$1.35	\$1.90	\$3.25	\$5.75	\$7.65
120	\$0.90	\$1.25	\$2.15	\$3.80	\$5.05

<b>Social Reference Price (At Retail) for Cider and Cooler Products by Alcohol Content and Package Size</b>		
<b>Selling Unit Size (ml)</b>	<b>Alc/Vol</b>	
	<b>&lt;= 5.99%</b>	<b>6% plus</b>
4092	\$17.75	\$20.90
3960	\$17.15	\$20.25
2130	\$9.25	\$10.90
2046	\$9.15	\$10.80
2000	\$8.95	\$10.55
1980	\$8.85	\$10.45
1420	\$6.35	\$7.50
1364	\$6.10	\$7.20
1320	\$5.90	\$6.95
1000	\$4.45	\$5.25
473	\$2.30	\$2.70
341	\$1.70	\$2.05
330	\$1.65	\$1.95

<b>Social Reference Price (At Retail) for Wine Products by Alcohol Content and Package Size <i>table, sparkling, fruit, flavoured, fortified, aperitif</i></b>		
<b>Selling Unit Size (ml)</b>	<b>Alc/Vol</b>	
	<b>&lt;= 15.9%</b>	<b>&gt;15.9%</b>
18000	\$133.55	\$180.60
16000	\$118.70	\$160.55
4000	\$33.90	\$45.85
3000	\$26.40	\$35.70
2000	\$18.00	\$24.35
1500	\$14.45	\$19.55
1140	\$11.35	\$15.35
1000	\$10.20	\$13.75
800	\$8.50	\$11.45
750	\$7.95	\$10.75
720	\$7.65	\$10.30
500	\$5.70	\$7.75
375	\$4.50	\$6.05
300	\$3.65	\$4.95
250	\$3.15	\$4.25
200	\$2.50	\$3.40

Social Reference Price (At Retail) for Beer Products by Alcohol Content and Package Size				
Selling Unit Size (ml)	Alc/Vol			
	<=6.5%	>6.5% to <=7.5%	>7.5% to <=8.5%	>8.5%
10650	\$45.00	\$57.35	\$65.40	\$70.60
8520	\$36.00	\$45.90	\$52.30	\$56.45
8184	\$34.60	\$44.10	\$50.25	\$54.25
7100	\$31.60	\$40.25	\$45.90	\$49.55
6138	\$27.30	\$34.80	\$39.70	\$42.80
5325	\$23.70	\$30.20	\$34.40	\$37.15
4260	\$18.95	\$24.15	\$27.55	\$29.70
4092	\$18.20	\$23.20	\$26.45	\$28.55
2840	\$13.40	\$17.05	\$19.45	\$21.00
2838	\$13.40	\$17.05	\$19.45	\$21.00
2130	\$10.05	\$12.80	\$14.60	\$15.75
2046	\$9.65	\$12.30	\$14.00	\$15.15
2000	\$9.45	\$12.00	\$13.70	\$14.80
1980	\$9.35	\$11.90	\$13.55	\$14.65
1420	\$6.70	\$8.55	\$9.75	\$10.50
1364	\$6.45	\$8.20	\$9.35	\$10.10
1320	\$6.20	\$7.95	\$9.05	\$9.75
1180	\$5.75	\$7.35	\$8.40	\$9.05
750	\$3.65	\$4.70	\$5.35	\$5.75
710	\$3.45	\$4.45	\$5.05	\$5.45
550	\$2.70	\$3.45	\$3.90	\$4.20
500	\$2.45	\$3.10	\$3.55	\$3.85
473	\$2.30	\$2.95	\$3.35	\$3.65
355	\$1.75	\$2.20	\$2.50	\$2.70
350	\$1.70	\$2.20	\$2.50	\$2.70
341	\$1.65	\$2.15	\$2.40	\$2.60
330	\$1.60	\$2.05	\$2.35	\$2.55

## Revision History

Chapter	Section	Revision	Date
II	1 (c)(ii)(ix)(x)(xvii)	<ul style="list-style-type: none"> <li>Clarification about proof of possession and sufficient control.</li> <li>Clarification of good character requirements for any shareholder in a corporation with a beneficial ownership of 20% or more in the applicant corporation and for any person receiving 20% or more share of revenue from the sale of alcohol.</li> <li>Addition of requirement to provide the management agreement as part of the application.</li> <li>Moved requirement of WHMIS/MSDS sheets to have, no longer required to submit.</li> </ul>	April 3, 2024
	1 (i)	<ul style="list-style-type: none"> <li>Clarified that permittees are required to submit changes in criminal history and that SLGA may also obtain history from CPIC.</li> </ul>	April 3, 2024
	7 (c)	<ul style="list-style-type: none"> <li>Clarified language for SIRS requirement for on and off site off-sale clerks.</li> </ul>	April 3, 2024
	8	<ul style="list-style-type: none"> <li>New policy about good character</li> </ul>	April 3, 2024
	9	<ul style="list-style-type: none"> <li>New policy about sufficient control.</li> </ul>	April 3, 2024
	10	<ul style="list-style-type: none"> <li>New policy about revenue/profit sharing.</li> </ul>	April 3, 2024
III	1 (f)	<ul style="list-style-type: none"> <li>Clarified that definition of “affiliated” and “associated” mean the definition found in <i>The Business Corporations Act, 2021</i> (Saskatchewan)</li> <li>Clarified “farmers’ market” means an approved farmers’ market by SLGA.</li> </ul>	April 3, 2024
	7 (b)(i)(b)	<ul style="list-style-type: none"> <li>Clarification that farmers’ market must be approved by SLGA.</li> </ul>	April 3, 2024
	8  (k)	<ul style="list-style-type: none"> <li>Removed the advertising requirement for off-site off-sale endorsement.</li> <li>Clarified that hours of operation may vary according to municipal bylaws.</li> </ul>	April 3, 2024
	9.1 (a)(iii) & (b) (iii)	<ul style="list-style-type: none"> <li>Clarified that hours of operation may vary according to municipal bylaws.</li> </ul>	April 3, 2024
	9.1 (b)  (vii)	<ul style="list-style-type: none"> <li>Removed the requirement for craft alcohol producers to carry permit when delivering.</li> <li>Add curbside delivery as an option for delivery.</li> <li>Remove requirement that the customer must sign a copy of the delivery receipt.</li> </ul>	April 3, 2024
	14 (b)(vi)  (b)(xiv)	<ul style="list-style-type: none"> <li>Clarification that a third party can operate hospitality suite with SLGA approval.</li> <li>Clarified that hours of operation may vary according to municipal bylaws.</li> </ul>	April 3, 2024
	16 (a)  (c)(v)	<ul style="list-style-type: none"> <li>Removed the requirement for SOP for tasting at farmers’ market.</li> <li>Clarified that if there is a permitted area at a farmers’ market (e.g. beer garden) a manufacturer can sell for off-site consumption and give samples</li> </ul>	April 3, 2024

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<b>IV</b>	2(iii)	<ul style="list-style-type: none"><li>• Clarification that minors may be hired to be employed outside of a permitted establishment (e.g. lawn care)</li></ul>	April 3, 2024
	4	<ul style="list-style-type: none"><li>• New policy about monitoring.</li></ul>	April 3, 2024
	11 (d)	<ul style="list-style-type: none"><li>• New staff alcohol consumption policy</li></ul>	April 3, 2024
<b>V</b>	7(e)	<ul style="list-style-type: none"><li>• Removed gift cards from being grouped with promotional coupons/vouchers in the context of percentage discount.</li></ul>	April 3, 2024
<b>VII</b>	5(f)	<ul style="list-style-type: none"><li>• Change days for hearing from seven to fifteen immediate suspensions.</li></ul>	April 3, 2024
<b>VII</b>	10(c)	<ul style="list-style-type: none"><li>• Updated table on violations and penalty limits</li></ul>	April 3, 2024
<b>A7</b>	Title	<ul style="list-style-type: none"><li>• Amend title of Social Reference Pricing Appendix for clarity that it is for off-site consumption and includes restaurants.</li></ul>	April 3, 2024

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