

Wyoming Department of Revenue

Liquor Division

Revised Feb - 2023

GENERAL SAMPLING GUIDELINES FOR VENDORS & INDUSTRY REPRESENTATIVES

These sampling guidelines are not all-inclusive. Please contact the Wyoming Liquor Division (WLD) for questions regarding any sampling event or circumstances not covered in these guidelines

Overview:

- Provided that all applicable state and federal laws, rules, and regulations pertaining to the shipment of alcoholic beverages into Wyoming are strictly adhered to, along with adherence to all applicable sampling laws, rules and policies, samples are not prohibited.
- Manufacturers, through their licensed Wyoming industry representatives, are authorized to furnish samples to licensed retailers and the WLD.
- Manufacturers shall designate a temporary licensed industry representative if their product line is not currently represented by a licensed Wyoming industry representative.
- Wyoming Industry Representatives (Reps) include:
 - Individually licensed Class A, B and C Reps, also known as Brokers
 - Malt beverage wholesale distributors
 - Distilleries
 - Microbreweries
 - Wineries
- Reps may only provide samples of the products they are appointed or assigned to represent.
- Sampling is defined as displaying to a licensed retailer the smallest quantity available for the buyer to determine the quality of the product offered.
- Samples may be provided only to retailers who have not previously purchased the brand of distilled spirits, wine or malt beverage being offered by the industry representative.
- Sample product may not be used as a direct gift or as a product discount based upon licensee's current or future purchases.
- Sample product shall have the seal broken at the time of presentation to the retailer or their designated employee(s).
- Sample products not utilized during sampling events must be destroyed or removed by the Rep unless the sample products are retailer owned.
- Shipments of product samples directly to Class A, B or C Reps or licensed retailers are illegal and expressly prohibited.

Lawful Sources of Samples:

- Samples may be obtained only from the following sources:
 - Vendor samples of distilled spirits or wines sent to the WLD
 - WLD listed product inventory (Salesman Samples from Stock)
 - Wyoming malt beverage wholesale distributors
 - Retailer owned inventory provided by the retailer
 - Retailer owned inventory purchased by the Rep at full retail price from the retailer
 - **Note:** Manufacturer Satellite locations are considered as retailers

Wyoming Department of Revenue

Liquor Division

Revised Feb - 2023

DISTILLED SPIRITS AND WINE SAMPLES THROUGH THE WLD

Reps may obtain samples from WLD as follows:

- Pre-paid samples sent by vendors to the WLD
- Samples from WLD listed inventory

Requirements

- All pre-paid distilled spirits and wine samples must be shipped to the WLD
- Prepaid samples shipped to WLD must have the Industry Rep's name on the outside of each box.
- Prepaid samples shipped to WLD must be clearly marked "SAMPLES" on the outside of each box.
- All samples are subject to approval by the WLD.
- Allow 3 business days to process pre-paid samples after their delivery to WLD.
- Allow 3 business days to process samples from stock after request is made.
- Reps will be billed for all fees associated with all samples with payment in full due by the 20th of the following month.
- Samples will be shipped to a retailer designated by the Rep (with prior approval from retailer).
- Samples not included with a retailer's order may incur a minimum delivery charge.
- The Rep shall advise the WLD in advance, of the intended use of the sample, the type of event, location of event.

The following charges will be assessed for PRE-PAID product:

- Incoming freight if applicable
- State Excise Tax
- Outgoing freight of \$6.25 per case
- Handling charge of \$5 per case

The following charges will be assessed for product withdrawn from WLD Inventory:

- F.O.B case cost
- Incoming freight
- 17.6% markup
- State Excise Tax
- Split case charge if applicable
- State and Laramie County Sales Tax
- Outgoing freight of \$6.25 per case

Wyoming Department of Revenue

Liquor Division

Revised Feb - 2023

SAMPLING EVENTS

Reps may conduct sampling events at various appropriately licensed or permitted locations in Wyoming including:

- Licensed Retailer sampling and training events
- Consumer sampling events
- Trade shows, conventions, charitable and fund-raising events
- WLD product Listing Meetings

Licensed Retailer Sampling Events

Restrictions on quantity of samples furnished to any retailer at any one time include:

- No more than 500 ml of any brand of distilled spirits,
- No more than 3 liters of any brand of wine.
- No more than 3 gallons of any brand of malt beverage.
- 50 ml spirits or 187 ml wines used for "neckers" will be excluded from numerical limitations.

Record Keeping Requirements

Reps shall maintain permanent record of the event dates, locations, and quantity of product by label and brand used for the following the sampling events listed below.

Such records will be provided to the Wyoming Liquor Division within twenty (20) working days upon receipt of such request.

- Licensed Retailer sampling and training events
- Consumer sampling events
- Trade shows, conventions, charitable and fund-raising events
- Donations to non-profit or charitable organizations or fund-raising events

WLD Listing Meetings

Manufacturers, through their Wyoming Reps, are authorized to furnish samples for WLD listing meetings.

- Samples sent to the WLD must be clearly marked "Samples for Listing Meeting"
- Name of industry rep must be clearly marked on outside of each case.
- If boxes are clearly marked "Samples for Listing Meeting" no charges will apply.
- Boxes not clearly marked will incur regular sample charges.
- Reps are responsible for communicating with their vendors to avoid costs
- Only one bottle of any product should be sent as a listing meeting sample.