

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA STATE REGULATIONS

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the Liquor Control Department (Agency or Board)

Regulation No. Liq 66 thru 69 (renumbered from 54 thru 58) Chapter Six is renumbered to Seven

Subject: Advertising

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration

NOV 13 1973 9:10 am

BY Eda Staudenmaier
AUTH. SIGNATURE

Stamped and filed with the Secretary of State 11-13-73

Rev. 9-72

AMENDMENTS TO LIQUOR REGULATIONS

CHAPTER SIX: Liq. 54 - 59

ADVERTISING

I Chapter Six is renumbered to Chapter Seven.

II Liq. 54 is renumbered to Liq. 66.

Subsection (d) is amended to read:

(d) Prohibited statements. An advertisement shall not contain:

(1) Any statement that is false or misleading in any material particular.

(2) Any statement that is disparaging of a competitor's products.

(3) Any statement, design, device, or representation which is obscene or indecent.

(4) Any statement, design, device, or representation of or relating to analyses, standards, or tests, irrespective of falsity, which is likely to mislead the consumer.

(5) Any statement, design, device, or representation of or relating to any guaranty, irrespective of falsity, which is likely to mislead the consumer.

Nothing in this section shall prohibit the use of any enforceable guaranty in substantially the following form: "We will refund the purchase price to the purchaser if he is in any manner dissatisfied with the contents of this package."

(6) Any statement that the product is produced, blended, made, bottled, packed, or sold under, or in accordance with, any authorization, law, or regulation of any municipality, county, or State, Federal or foreign government unless such statement is required or specifically authorized by the laws or regulations of such government; and if a municipal, county, State, or Federal permit number is stated, such permit number shall not be accompanied by any additional statement relating thereto.

(7) Any statement concerning a brand or lot of intoxicating liquor that

(Changes or Additions indicated by italics, Deletions by ~~strikeouts~~)

is inconsistent with any statement on the labeling thereof.

(8) Any statement, design, or device representing that the use of any intoxicating liquor has curative or therapeutic effects, if such statement is untrue in any particular, or tends to create a misleading impression.

(9) Any representation that the product was manufactured in, or imported from, a place or country other than that of its actual origin, or was produced or processed by one who was not in fact the actual producer or processor.

(10) Any statement, design, device, or pictorial representation of or relating to, or capable of being construed as relating to the armed forces of the United States, or of the American Flag, any State Flag, or of any emblem seal, insignia, or decoration associated with any such flag or the armed forces of the United States; nor shall any advertisement contain any statement, device, design or pictorial representation of or concerning any flag, seal, coat of arms, crest, or other insignia, likely to falsely lead the consumers to believe that the product has been endorsed, made, or used by or produced for, or under the supervision of, or in accordance with the specifications of the government, organization, family, or individual with whom such flag, seal, coat of arms, crest, or insignia is associated.

~~(11)--Pecuniary-appeal.--Any-statement-relating-to-the-price-of-such liquor,-unless-the-brand-is-registered-under-the-Minimum-Price-Law,-or which-has-a-pecuniary-appeal-to-induce-increased-purchases-of-intoxicating-liquors.~~

~~(12)~~ (11) Cooperative advertising. There shall be no cooperative advertising in newspapers or magazines as between a producer, manufacturer, bottler, importer, or wholesaler, and a retailer of distilled spirits.

~~(13)~~ (12) Any statement offering any coupon, premium, prize, or rebate as an inducement to purchase intoxicating liquors.

III Liq. 55 is renumbered to Liq. 67 and is amended to read:

Liq. 67. Statements or Acts Prohibited. All local advertising shall also be

subject to the provisions of this chapter as hereinafter stated.

(a) No advertisement of alcoholic beverages shall contain:

(1) Any illustration of a female which is not dignified, modest, or in good taste, or depicts a female in provicative dress or consuming a drink. Any family scene in which is portrayed a child or objects (such as toys) suggestive of the presence of a child, or in any manner portrays the likeness of a child, or contains any matter to appeal to immature persons.

(2) Any statement that is false or misleading in any manner.

(3) Any statement, design, device or representation which is obscene or indecent.

(4) Any statement concerning a brand of intoxicating liquor that is inconsistent with any statement on the labeling thereof.

(5) Any statement, design, device, or representation relating to any guaranty unless such guaranty is enforceable.

(6) Any statement describing such liquor to be beneficial and healthful.

~~(7)--Any-statement,-design,-device,-or-representation-which-has-a-pecuniary appeal-to-induce-increased-purchases-of-intoxicating-liquor.~~

~~(8)~~ (7) Any statement or display relating to the price of such liquor except in windows and premises of licensed establishments.

~~EXCEPTIONS,-distillers,-rectifiers,-wineries,-brewers-and-wholesale-distributors-may advertise-the-retail-selling-price-of-their-products,-and-that-licensed-Minnesota manufacturers-and-wholesale-distributors-may-distribute-price-lists-to-licensed retail-dealers.--Off-sale-retailers-of-intoxicating-liquor-may-attach-price-tags to-intoxicating-liquor-products-and-display-the-same-within-the-confines-of-their retail-establishment,-including-display-windows,-as-provided-for-in-Minnesota-Statutes, Section-340.985.~~

~~(aa)--A-price-tag-shall-be-no-larger-than-18-square-inches-in-total-area-and shall-display-price-and-may-indicate-the-size-and-amounts-of-the-container-or containers,-and-may-show-the-name-of-the-product,-however,-the-symbols-or-characters~~

~~on-such-price-tags-shall-not-exceed-2-inches-in-height. Such-price-tags-shall-be separate-and-exclusive-from-any-and-all-other-advertising-matter.~~

~~(bb)--A-price-tag-may-be-affixed-directly-to-the-surface-of-the-bottle,-bottles, case-or-cases,-or-affixed-to-said-products-by-string,-or-similar-material-which holds-any-part-of-the-price-tag-to-within-6-inches-of-the-displayed-product.~~

~~(9)~~ (8) Any statement, design, or device relating to biblical characters or to any public official, agency or branch of the Federal, state or local governments, including former presidents of the United States.

~~(10)~~ (9) Any statement, design, device or pictorial representation capable of being construed as relating to the armed forces of the United States, or the American Flag, or any emblem, seal, insignia or decoration associated with such flag or armed force.

~~(11)~~ (10) Any statement relating to the giving away of alcoholic beverages, premiums or novelties in connection with the sale of any alcoholic beverages.

(b) Restrictions:

(1) No alcoholic beverages, prizes, or premiums shall be given away in connection with the sale of alcoholic beverages, except that consumers advertising specialties, such as ash trays, bottle or can openers, corkscrews, paper shopping bags, matches, printed recipes, wine lists, leaflets, blotters, post cards, pencils, stirrers, glassware, calendars, notebooks, playing cards, greeting cards, folding knives or any similar articles which bear advertising matter may be furnished or given to consumers. The distribution of such advertising specialties shall be limited to the licensed premises only. Such advertising specialties shall be submitted to and approved by the Commissioner before distribution.

(2) No advertisement or display of intoxicating or malt liquor shall contain any statement or illustration of or reference to a bank, bank deposit book, money, gambling, or quotations such as "Saving," "Economy," "Better Buys," "Cut Rate," " Lowest or Attractive Prices," "Will Not Be Undersold," "Cash and Carry," "Free

Delivery," "Today's Feature," "Moving," "Going Out of Business," "Reduction of Stock," "Sale of Damaged Stock," "School or College Athletics," "Pay Checks," or similar illustrations or references in any form of advertising. ~~including signs, show windows or awnings visible from the exterior of the place of business. No advertisement shall be affixed to the window panes, either inside or outside.~~ However, such references may be included in or on show windows in or on licensed premises.

(3) No display of any intoxicating liquor shall be made in any place except the licensed premises.

(4) No advertisement or display of malt beverages containing more than ½ of 1% of alcohol by weight shall contain any reference to price of malt beverages, except within ~~the licensed premises, provided, that manufacturers and wholesale distributors may distribute price lists to licensed retail dealers.~~ windows and premises of licensed establishments.

~~(5) No private club advertisement shall solicit the public to frequent the licensed premises for the purpose of consuming alcoholic beverages.~~

IV Liq. 56 is renumbered to Liq. 68 and is amended to read:

Liq. 68. Advertisements Shall be Approved.

~~(a)~~ (1) Except as provided in Liq. ~~54~~ 66, all out of state distillers, rectifiers, winers, brewers and wholesale distributors and Minnesota manufacturers and wholesale distributors "On Sale", "Off Sale" or municipally owned liquor stores or any agents thereof shall submit in duplicate all advertisements of alcoholic beverages to the Commissioner for approval before publication.

~~(b)~~ (2) Except as provided in Liq. ~~54~~ (66), no licensee shall publish, cause to be published or offer for publication in any newspaper, periodical, or other advertising media, including radio and television broadcasting, or through any outdoor or other advertising agency any advertisement for intoxicating liquor unless the copy or transcript of the proposed advertisement shall have been first approved by the Commissioner and shall have affixed thereto his stamp of approval.

V Liq. 58 is renumbered to Liq. 69 and is amended to read:

Liq. 69. Mailing Forbidden. No advertisements shall be distributed to consumers through the medium of the United States mail ~~or by distribution of circulars,~~ except with the written approval of the Commissioner, and provided that this restriction shall not apply to newspapers and magazines. The distribution of hand circulars or price lists will be allowed from within the licensed premises.

VI Liq. 54 (f), 57 and 59 are repealed.

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
NOV 13 1973 9:10 am
BY Edna Staudenmaier
AUTH. SIGNATURE

APPROVED AS TO FORM AND LEGALITY
Nov 12 19 73
WARREN SPANNAUS, ATTORNEY GENERAL
BY Patricia Wilson
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 12 1973 - 4:00 pm
Arlen I. Erdahl
Secretary of State

(Changes or Additions indicated by italics, Deletions by ~~strikeouts~~)

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE JOSEPH V. NOVAK
LIQUOR CONTROL COMMISSIONER

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of Intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

ORDER FOR HEARING

To effectively implement Minnesota Statutes Chapter 340 (1971), as amended, the Minnesota Liquor Control Commissioner deems it necessary to consider adoption of rules as captioned above and as described in the accompanying Notice, pursuant to the authority vested in me by Minnesota Statutes Sections 340.09 and 340.15 (1971), as amended.

NOW, THEREFORE, IT IS ORDERED this First day of August, 1973, that a public hearing on the proposed adoption of such rules be held in Room D of the Veterans Service Building, 20 West 12th Street and Columbus Avenue (between Wabasha and Iglehart), St. Paul, Minnesota, on Tuesday, September 11, 1973, commencing at 9:00 A.M., and continuing until all interested persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all interested persons who have registered their names with the Secretary of State for purposes of receiving such notice, and all members of the Minnesota Legislature.

STATE OF MINNESOTA
LIQUOR CONTROL DEPARTMENT

Joseph V. Novak

JOSEPH V. NOVAK
LIQUOR CONTROL COMMISSIONER

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE JOSEPH V. NOVAK
LIQUOR CONTROL COMMISSIONER

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of Intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minnesota Statutes Section 15.0412 Subd. 4 (1971) in the above-entitled matter, in Room D of the Veterans Service Building, 20 West 12th Street and Columbus Avenue (between Wabasha and Iglehart), St. Paul, Minnesota on Tuesday, September 11, 1973, commencing at 9:00 A.M., and continuing until all interested persons have had an opportunity to be heard, concerning the proposed adoption of rules as described herein. Statements may be submitted orally or in writing. It is not necessary to appear at the hearing in order to submit a written statement.

The Commissioner proposes for adoption:

Regulations amending, repealing, or superseding Liquor Regulations, Chapter 6, Sections 54(d)(11), 55(a)(7), (8), and 55(b)(2), (4), allowing, subject to prescribed conditions and limitations, or without conditions and limitations, advertisement relating to the price of intoxicating liquors, and otherwise relating to the advertisement of intoxicating liquors in any or all media of communications including radio, television, newspapers, magazines and billboards.

STATE OF MINNESOTA
LIQUOR CONTROL DEPARTMENT

Joseph V. Novak

JOSEPH V. NOVAK
LIQUOR CONTROL COMMISSIONER

PROPOSED AMENDMENT TO LIQUOR REGULATIONS, CHAPTER SIX ADVERTISING

ALTERNATIVE PROPOSAL NO. 1

Eliminates various restrictions and limitations upon the advertisement and display of alcoholic beverages and authorizes price advertising of such beverages in newspapers and magazines subject to certain limitations in type point used.

I Chapter Six, Liq. 54 (d) is amended to read:

Chapter ~~Six~~ Seven, Liq ~~54~~ 66 (d) Prohibited statements.

An advertisement shall not contain:

(1) Any statement that is false or misleading in any material particular.

(2) Any statement that is disparaging of a competitor's products.

(3) Any statement, design, device, or representation which is obscene or indecent.

(4) Any statement, design, device, or representation of or relating to analyses, standards, or tests, irrespective offalsity, which is likely to mislead the consumer.

(5) Any statement, design, device or representation of or relating to any guaranty, irrespective of falsity, which is likely to mislead the consumer. Nothing in this section shall prohibit the use of any enforceable guaranty in substantially the following form: "We will refund the purchase price to the purchaser if he is in any manner dissatisfied with the contents of this package".

(6) Any statement that the product is produced, blended, made, bottled, packed, or sold under, or in accordance with, any authorization, law, or regulations of any municipality, county, or State, Federal or foreign government unless such statement is required or specifically authorized by the laws or regulations of such government; and if a municipal, county, State, or Federal permit number is stated, such permit number shall not be accompanied by any additional statement relating thereto.

Changes or additions indicated by italics, deletions by ~~strikeout~~.

(7) Any statement concerning a brand or lot of intoxicating liquor that is inconsistent with any statement on the labeling thereof.

(8) Any statement, design, or device representing that the use of any intoxicating liquor has curative or therapeutic effects, if such statement is untrue in any particular, or tends to create a misleading impression.

(9) Any representation that the product was manufactured in, or imported from, a place or country other than that of its actual origin, or was produced or processed by one who was not in fact the actual producer or processor.

(10) Any statement, design, device, or pictorial representation of or relating to, or capable of being construed as relating to the armed forces of the United States, or of the American flag, any State flag, or of any emblem seal, insignia, or decoration associated with any such flag or the armed forces of the United States; nor shall any advertisement contain any statement, devise, design or pictorial representation of or concerning any flag, seal, coat of arms, crest, or other insignia, likely to falsely lead the consumer to believe that the product has been endorsed, made, orused by or produced for, or under the supervision of, or inaccordance with the specifications of the government, organization, family, or individual with whom such flag, seal, coat of arms, crest, or insignia is associated.

~~(11)--Pecuniary-appeal.--Any-statement-relating-to-the-price-of-such liquor-unless-the-brand-is-registered-under-the-Minimum-Price-Law,-or-which-has a-pecuniary-appeal-to-induce-increased-purchases-of-intoxiating-liquors.~~

~~(12)~~ (11) Cooperative advertising. There shall be no cooperative advertising as between a producer, manufacturer, bottler, importer, or wholesaler, and a retailer of distilled spirits.

~~(13)~~ (12) Any statement offering any coupon, premium, prize, or rebate as an inducement to purchase intoxicating liquors.

II Chapter Six is amended by adding a section:

Chapter ~~Six~~ Seven, Liq. 67 Price Advertising. Advertisements of the price of intoxicating liquors or non-intoxicating malt beverages shall be permitted in newspapers and magazines in type no larger than_____point and no such advertisement shall exceed _____inches in width and_____inches in length.

III Chapter Six, Liq 54 (f), Liq 55, Liq 56, Liq 57, Liq 58 and Liq 59 are repealed.

Changes or additions indicated by italics, deletions by ~~strikeout~~.

PROPOSED AMENDMENT TO LIQUOR REGULATIONS, CHAPTER SIX - ADVERTISING

ALTERNATIVE PROPOSAL NO. 2

Eliminates various restrictions and limitations upon the advertisement and display of alcoholic beverages but permits price advertising of such beverages on licensed premises only.

I Chapter Six, Liq. 54 (d) is amended to read: (Same as Section I of Alternative Proposal No. 1)

II Chapter Six is amended by adding a section:

Chapter ~~Six~~ Seven, Liq. 67 Statements or Acts Prohibited. All local advertising shall be subject to the provisions of this chapter.

(a) No display of any intoxicating liquor or non-intoxicating malt beverages shall be made in any place except the licensed premises.

(b) No advertisement of intoxicating liquor or non-intoxicating malt beverages shall contain any statement relating to the price of such beverages except advertising displays on the licensed premises.

III Chapter Six, Liq. 54 (f), Liq. 55, Liq. 56, Liq. 57 and Liq. 59 are repealed.

Changes or additions indicated by italics, deletions by ~~strikeout~~.

PROPOSED AMENDMENT TO LIQUOR REGULATIONS, CHAPTER SIX - ADVERTISING

ALTERNATIVE PROPOSAL NO. 3

Retains various restrictions and limitations upon the advertisement and display of alcoholic beverages but permits price advertising of such beverages on licensed premises.

I Chapter Six, Liq. 54 (d) is amended to read: (Same as Section I of Alternative Proposal No. 1)

II Chapter Six, Liq. 55 (a) is amended to read:

Chapter ~~Six~~ Seven, Liq. ~~55~~ 67 (a) No advertisement of alcoholic beverages shall contain:

(1) Any illustration of a female which is not dignified, modest, or in good taste, or depicts a female in provocative dress or consuming a drink. Any family scene in which is portrayed a child or objects (such as toys) suggestive of the presence of a child, or in any manner portrays the likeness of a child, or containes any matter to appeal to immature persons.

(2) Any statement that is false or misleading in any manner.

(3) Any statement, design, device, or representation which is obscene or indecent.

(4) Any statement concerning a brand of intoxicating liquor that is inconsistent with any statement on the labeling thereof.

(5) Any statement, design, device, or representation relating to any guaranty unless such guaranty is enforceable.

(6) Any statement describing such liquor to be beneficial and healthful.

(7) Any statement, design, device, or representation which has a pecuniary appeal to induce increase purchases of intoxicating liquor.

Changes or additions indicated by italics, deletions by ~~strikeout~~.

(8) Any statement ~~or display~~ relating to the price of such liquor except statements in advertising displays on the licensed premises.

~~EXCEPTIONS, distillers, rectifiers, wineries, brewers and wholesale distributors may distribute price lists to licensed retail dealers. Off sale retailers of intoxicating liquor may attach price tags to intoxicating liquor products and display the same as provided for in Minnesota Statutes, Section 340.985.~~

~~(aa) A price tag shall be no larger than 18 square inches in total area and shall display price and may indicate the size and amounts of the container or containers, and may show the name of the products; however, the symbols or characters on such price tags shall not exceed 2 inches in height. Such price tags shall be separate and exclusive from any and all other advertising matter.~~

~~(bb) A price tag may be fixed directly to the surface of the bottle, bottles, case or cases, or affixed to said products by string, or similar material which holds any part of the price tag to within 6 inches of the displayed products.~~

(9) Any statement, design, or device relating to biblical characters or to any public official, agency or branch of the Federal, State or local governments, including former presidents of the United States.

(10) Any statement, design, device or pictorial representation capable of being construed as relating to the armed forces of the United States, or the American Flag, or any emblem, seal, insignia or decoration associated with such flag or armed force.

(11) Any statement relating to the giving away of alcoholic beverages, premiums or novelties in connection with the sale of any alcoholic beverages.

III Chapter Six, Liq. 55 (b) is amended to read:

Chapter ~~Six~~ Seven, Liq. ~~55~~ 67 (b) Restrictions:

(1) No alcoholic beverages, prizes, or premiums shall be given away in connection with the sale of alcoholic beverages, except that consumers advertising specialties, such as ash trays, bottle or can openers, corkscrews, paper shopping

bags, matches, printed recipes, wine lists, leaflets, blotters, post cards, pencils, stirrers, glassware, calendars, notebooks, playing cards, greeting cards, folding knives or any similar articles which bear advertising matter may be furnished or given to consumers. The distribution of such advertising specialties shall be limited to the licensed premises only. Such advertising specialties shall be submitted to and approved by the Commissioner before distribution.

(2) No advertisement or display of intoxicating or malt liquor shall contain any statement or illustration of or reference to a bank, bank deposit book, money, gambling, or quotations such as "Saving", "Economy", "Better Buys", "Cut Rate", "Lowest or Attractive prices", "Will Not Be Undersold", "Cash and Carry", "Free Delivery", "Today's Feature", "Moving", "Going Out of Business", "Reduction of Stock", "Sale of Damaged Stock","School or College Athletics", "Pay Checks", or similar illustrations or references in any form of advertising including signs, show windows, or awnings visible from the exterior of the place of business. No advertisement shall be affixed to the window panes, either inside or outside.

(3) No display of any intoxicating liquor shall be made in any place except the licensed premises.

(4) No advertisement or display of malt beverages containing more than ½ of 1% of alcohol by weight shall contain any reference to price of malt beverages, except within the licenses premises*.* ~~provided, that manufacturers and wholesale distributors may distribute price lists to licensed retail dealers.~~

(5) No private club advertisement shall solicit the public to frequent the licensed premises for the purpose of consuming alcoholic beverages.

IV Chapter Six, Liq. 54 (f) and Liq. 57 are repealed.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

AFFIDAVIT

Dorothy C. Hansen, being duly sworn on oath deposes and says:

1) That she is an employee of the Liquor Control Department of the State of Minnesota.

2) That on the 2nd day of August, 1973 she went to the Secretary of State's office for the State of Minnesota and requested a current list of all interested persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minnesota Statutes Section 15.0412 (1971).

3) That on the 2nd day of August, 1973, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Dorothy C. Hansen

Subscribed and sworn to before me
this 2nd day of August, 1973.
Notary Public, John L. McDonald
Ramsey County, Minnesota
My Commission expires .

JOHN L. McDONALD
Notary Public, Ramsey County, Minn.
My Commission Expires, Aug. 1, 1977

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of Intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

CERTIFICATE

I hereby certify that the attached 273 labels & one sheets constitute the complete list of interested persons who as of 1:00 o'clock P .M., this 2nd day of August, 19 73, have requested pursuant to Minnesota Statutes Section 15.0412, Subdivision 4 (1971), that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on the proposed adoption of rules on the subject captioned above.

Secretary of State

Arlen I. Erdahl

By Ceil Dion

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of Intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

AFFIDAVIT OF MAILING

Clarice Ehrler, being first duly sworn, deposes and says:

That on the 2nd day of August, 197_, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all interested persons at the addresses listed on the attached Certificate of the Secretary of State as well as to all persons listed on the attached sheet as presently being members of the Minnesota Legislature.

Clarice Ehrler

Subscribed and sworn to before me this 2nd day of August, 1973.

John L. McDonald

Notary Public,

JOHN L. McDONALD
Notary Public, Ramsey County, Minn.
My Commission Expires, Aug. 1, 1977

County, Minnesota

My Commission expires _____.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE JOSEPH V. NOVAK
LIQUOR CONTROL COMMISSIONER

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of Intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

STATEMENT OF NEED

The above captioned proposed rules are amendments to existing rules of the Minnesota Liquor Control Department. The last time these rules were amended was in the year 1970.

The need to consider whether any portion of the proposed rules should be adopted arises because of the repeal in May, 1973 of Minn. Stat. § 340.985 (1971) which imposed certain prohibitions on the price advertising of intoxicating liquor. In addition, the Liquor Control Commissioner's power to regulate the advertising and display of intoxicating liquors appears to have been modified by the amendment in May, 1973 of Minn. Stat. § 340.09 (1971).

STATE OF MINNESOTA

LIQUOR CONTROL DEPARTMENT

Joseph V. Novak

JOSEPH V. NOVAK
LIQUOR CONTROL COMMISSIONER

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE JOSEPH V. NOVAK
LIQUOR CONTROL COMMISSIONER

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of Intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Liquor Control Commissioner of the State of Minnesota on the 11th day of September, 1973, at 9:00 A.M. in the Veterans Service Building, St. Paul, Minnesota, after proper notice required by Minn. Stat. § 15.0412 (1971) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, I find the following:

FACTS

Limited price advertising of intoxicating liquor is generally advantageous to the consumer because it tends to promote a reasonable degree of competition among those furnishing it to the public. At the same time, there is no evidence to indicate that such advertising, in and of itself, noticeably increases the consumption of intoxicating liquor by the public.

STATE OF MINNESOTA
LIQUOR CONTROL DEPARTMENT

Joseph V. Novak
Liquor Control Commissioner

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE JOSEPH V. NOVAK
LIQUOR CONTROL COMMISSIONER

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Liquor Control Commissioner of the State of Minnesota on the 11th day of September, 1973, at 9:00 A.M. in the Veterans Service Building, St. Paul, Minnesota, after proper notice required by Minn. Stat. § 15.0412 (1971) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Amendments to Liquor Regulations, Chapter 6, Sections 54-59 (Advertising) are adopted this 24 day of October, 1973, pursuant to authority vested in me by Minn. Stat. §§ 340.09 and 340.15 (1971), as amended by Minn. Laws 1973 ch. 664.

STATE OF MINNESOTA
LIQUOR CONTROL DEPARTMENT

Joseph V. Novak
Liquor Control Commissioner

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of Intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Assistant Attorney General Michael R. Gallagher, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

Michael R. Gallagher
Assistant Attorney General

Dated: October 25, 1973

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Liquor Control Commissioner Relating to the Advertisement of Intoxicating Liquors (Liquor Regulations, Chapter 6, Sections 54-59)

STATEMENT OF COMPLIANCE WITH

MANUAL OF RULE MAKING PROCEDURES

I, Assistant Attorney General Michael R. Gallagher, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

Michael R. Gallagher
Assistant Attorney General

Dated: October 25, 1973