

Regulation to amend the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages*

An Act respecting liquor permits (R.S.Q., c. P-9.1, s. 114, pars. 1.1, 12 and 12.1)

1. The following paragraph is added at the end of section 1 of the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages :

“In addition, in this Regulation,

“distributor” means any person authorized by the Société des alcools du Québec under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13); (*distributeur*)

“manufacturer” means the Corporation, in respect of the alcoholic beverages it bottles under its own name, a holder of a permit issued under the Act respecting the Société des alcools du Québec, any other supplier of alcoholic beverages to the Corporation and an agent or representative of those persons; (*fabricant*)

“permit holder” means a person holding a permit issued under the Act respecting liquor permits (R.S.Q., c. P-9.1); (*titulaire de permis*)”

“tasting” means a promotional activity at which a manufacturer serves alcoholic beverages in a small quantity for the sole purpose of tasting the beverage. (*dégustation*)

2. The following paragraph is added at the end of section 5:

“No advertising, including audio, video, printed or computerized advertising, may indicate the grape variety or the mark of origin of a table wine sold by the holder of a grocery permit under a proprietary brand.”

3. The fourth paragraph of section 6 is deleted.

4. Section 12 is amended

(1) by deleting subparagraph 4 of the first paragraph; and

(2) by deleting the second and third paragraphs.

5. Sections 13 and 14 are revoked.

6. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Draft Regulation

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Alcoholic beverages

— Terms of sale by holders of a grocery permit

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to relax certain rules governing the marketing of wine in groceries.

To that end, it proposes to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit so as to allow the sale in groceries of table wines under the proprietary brand of the holder of a wine maker’s permit in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec. It provides that the holder of a wine maker’s permit shall file a declaration in the register of proprietary brands kept by the Corporation and that the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec shall comply with the regulatory provisions made under the Act respecting the Société des alcools du Québec. Finally, it proposes an adjustment concerning the bottling of wine.

* The Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages, made by Order in Council 1529-91 dated 6 November 1991 (1991, *G.O.* 2, 4466) was last amended by the Regulation made by Order in Council 610-94 dated 27 April 1994 (1994, *G.O.* 2, 1588). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

To date, study of the matter has revealed no impact on the public or on businesses, in particular small and medium-sized businesses.

Further information may be obtained by contacting:

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Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for the Economy and Finance and Minister of Industry and Trade, to the Minister of Public Security, as well as to the Minister for Industry and Trade, at the following address:

710, place d'Youville, 6^e étage
Québec (Québec) G1R 4Y4,

and a copy to the Société des alcools du Québec, at:

Suzanne Paquin, Secretary General
and Vice-President, Services juridiques
Société des alcools du Québec
905, avenue De Lorimier
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BERNARD LANDRY,
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SERGE MÉNARD,
Minister of Public Security

GUY JULIEN,
Minister for Industry and Trade

Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit*

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13, s. 37, pars. 1, 7, 8 and 10; 1999, c. 8, s. 20)

1. Section 2 of the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit is amended by inserting the words “or for” after the words “bottled by” in paragraph 2.

2. Section 3 is amended

(1) by deleting the words “a person authorized by the Société des alcools du Québec to sell alcoholic beverages under paragraph *h* of section 17 of the Act respecting the Société des alcools du Québec, or with” in subparagraph 5 of the first paragraph;

(2) by adding the following paragraph at the end :

“In addition, the holder of a wine maker’s permit may market a proprietary brand in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec.”.

3. Section 4 is amended

(1) by adding the following paragraph after the first paragraph :

“The holder of a wine maker’s permit that wishes to market a proprietary brand in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec shall file with the Corporation an additional declaration indicating his intention and attesting that he holds the rights to use the brand. The permit holder shall also have the declaration recorded in the register of proprietary brands kept by the Corporation.”;

* The Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit, made by Order in Council 2165-83 dated 19 October 1983 (1983, *G.O.* 2, 3668), was last amended by the Regulation made by Order in Council 1797-91 dated 18 December 1991 (1992, *G.O.* 2, 16). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

(2) by inserting the words “provided that those brands and brand names of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec” after the words “recorded in the register and” in the second paragraph;

(3) by substituting the word “third” for the word “second” in the third paragraph.

4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Draft Regulation

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Wine and other alcoholic beverages made or bottled by holders of wine maker’s permit — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to consolidate the policy of the Corporation respecting wine designation. It is also intended, with respect to table wines sold in grocery stores under the proprietary brand of the holder of a wine maker’s permit in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec, to harmonize the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit with the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit.

To that end, it proposes to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit by removing the terms “Canadian port” and “Canadian sherry” from that Regulation when referring to fortified wine. It also proposes to specify the rules applicable to the labelling of wines sold in grocery stores under a proprietary brand in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec.

To date, study of the matter has revealed no impact on the public or on businesses, in particular small and medium-sized businesses.

Further information may be obtained by contacting:

Mr. Gilles Jolicoeur, Director, Services juridiques, Société des alcools du Québec, 905, avenue De Lorimier, Montréal (Québec) H2K 3V9, telephone: (514) 873-2164, fax: (514) 864-1220, E-mail: g.jolicoeur@saq.qc.ca

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710, place D’Youville, 6^e étage, Québec (Québec) G1R 4Y4,

and a copy to the Société des alcools du Québec to:

Ms. Suzanne Paquin, Secretary General and Vice-President, Services juridiques, Société des alcools du Québec, 905, avenue De Lorimier, Montréal (Québec) H2K 3V9

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