Advisory Opinion Request Form
November 2019

ALCOHOLIC BEVERAGE CONTROL
**COMMONWEALTH OF KENTUCKY**
**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**
500 Mero Street 2NE33
Frankfort, KY 40601
502-564-4850 phone
502-564-1442 fax
http://abc.ky.gov

Date received

AOR NO.: _____
FOR ABC USE ONLY

# ADVISORY OPINION REQUEST FORM

Attach additional pages as necessary and any documentation, research, or other evidence that you request the Department to consider.

Name of Requestor (individual or business entity): Charles George, Wine & Spirits Wholesalers of Kentucky

Address: 906 Lily Creek Rd., Suite 102

City: Louisville, KY State: KY County: Jefferson

Zip Code: 40243 Phone Number: 502.893.9795

Email: charles@wswk.org

The above individual or business entity requests an: ☑ Advisory opinion ☐ Reconsideration request

If this is a reconsideration request or comment, the application Advisory opinion number: _____

Question or issue to be addressed: Can wine spritzers under 7% ABV be sold at retail stores where the sales of staple groceries exceed 10% or greater of gross sales receipts?

Applicable statutes, regulations, ordinances, or other authority: KRS 243.230(5); 804 KAR 4:270; KRS 241.010(38) KRS 241.010(70); KRS 241.010(74)

Proposed response, comment, or basis for reconsideration request: Wine spritzers, no matter the alcohol content, meet the definiton of "wine" and cannot be sold at retail stores where sales of staple groceries exceed 10% or greater of gross sales receipts. See supplement attached.

To your knowledge, is the question for which you request an advisory opinion or reconsideration pending before, under investigation by, or recently decided by a court or government entity? ☐ Yes ☑ No

If yes, please identify the court or government agency, any case or proceeding number, and filing dates of the proceeding or investigation _____.

Signature of Requestor or Requestor's Agent _____ Date 11/6/20

Signer's Name and title if requestor is a business entity Charles George, Executive Director Date 11/6/20