



## Ohio Administrative Code

### Rule 4301:1-1-32 Samples.

Effective: May 16, 2021

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(A) As used in this rule the term "sample" means an alcoholic beverage that is provided at no cost to permit holders or its employees as specified in this rule for the limited purpose of tasting the quality and character of the product to determine whether the recipients want to offer the product to its clients or consumers, as applicable. Samples are not intended for general consumption and shall not be sold by either the person distributing the sample or the recipient.

(B) A manufacturer, supplier, or wholesale distributor of alcoholic beverages, or their respective registered solicitors, may distribute samples of their products to wholesale distributors, retail permit holders, or their respective employees, or may distribute samples of sacramental wine for religious rites to clergy.

(C) Only employees of manufacturers, suppliers, or wholesale distributors who are registered solicitors, pursuant to Chapters 4301. and 4303. of the Revised Code and rule 4301-2-01 of the Administrative Code, may receive and distribute samples pursuant to this rule.

(D) Products eligible to be distributed as samples include any products or vintages registered for sale in Ohio. Products that are not registered for sale in Ohio, but have received federal label approval from the alcohol and tobacco tax and trade bureau of the United States department of the treasury, may be distributed as samples to wholesale distributors only, but not to retail permit holders.

(E) Registered solicitors may distribute samples either by providing:

(1) A sealed container, not to exceed seven hundred fifty milliliters;

(2) Servings of beer of not more than twelve ounces;

(3) Servings of wine and mixed beverages of not more than two ounces; or



(4) Servings of spirituous liquor of not more than one ounce.

(F) Products identified as samples may only be distributed during normal business hours at a permit premises. All such products shall be clearly marked "Sample."

(G) Registered solicitors may transport samples after they have been opened if the following conditions are met:

(1) The sample container is resealed with a type of lid, stopper, or seal appropriate for the container;  
and

(2) When in a motor vehicle, the sample container is not accessible from the driver's seat of the vehicle.

(H) Written records of the distribution of samples must be made available to the division of liquor control, upon request, for a period of one year from the date of the distribution.