News Release

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OLCC Commissioners Ratify Stipulated Alcohol Violations, Licensing Settlements and Takes Action on Rules

Commission Adjusts Alcohol Purchasing Hours to Accommodate Vulnerable Populations

PORTLAND, OR. – At its regularly monthly meeting on **April 16, 2020** the Oregon Liquor Control Commission considered the concerns of older adult shoppers and persons with underlying medical conditions, in approving a temporary rule allowing OLCC licensed retailers to begin selling beer, wine and cider beginning at 6:00 AM, an hour earlier than previously allowed. Some grocery stores have been accommodating Oregonians vulnerable to the COVID-19 virus by opening their doors as early as 6:00 AM for these high-risk shoppers.

Many of this segment of shoppers were unaware that sales of alcoholic beverages could start no earlier than 7:00 AM, and complained to grocers and their elected representatives. The OLCC heard concerns that vulnerable populations wanting to purchase beer, wine, and cider were faced with choosing to make multiple trips to the store, or shopping when there were more customers present, thus putting these populations at higher risk.

Commissioners, also adopted temporary amendments that clarify and align delivery privileges for licensees making deliveries of malt beverages wine or cider. These amendments will ease some approval requirements.

“The impact of social distancing impacted these businesses quickly and severely,” said Steve Marks, OLCC Executive Director. “While these delivery methods were previously available to licensees, the Commission is streamlining delivery options to enable these licensees to continue with but a fraction of the business operations that they had prior to the COVID-19 public health crisis.”

Commissioners heard a presentation of oral arguments and rendered decision in the following contested case:

Ashley Groves - Service permitee, Ashley Groves, shall be suspended for 10 days unless a civil penalty in the amount of $250 is paid within 10 days of the issuance of the final order for drinking alcoholic beverages while on duty at a licensed premise. Further, the Commission adopted staff’s exceptions to remove the second charge of allowing a patron to mix, dispense or serve alcoholic beverages for or to themselves for on premise consumption.

Commissioners ratified the following violation fines and suspensions based on stipulated settlement:

FIDO'S (F-COM) in Tigard, Licensee will install age verification **and** pay a $330 civil penalty **or** serve a two-day suspension for one violation.

Licensee is VSR Corporation**;** Scott Porter, President/Secretary/Stockholder**;** Vee Porter, VP/Treasure/Stockholder.

LU'S SPORTS BAR AND LOUNGE (F-COM) in Tigard, will serve a 23-day suspension **or** a $3,795 civil penalty for two violations.

Licensee is Lu's Buffet, Inc.; Xu Jian Lu, President/Secretary/Treasurer/Director/Stockholder.

WHOLE FOODS MARKET in Tigard will pay a $1,485 civil penalty **or** serve a nine-day suspension one violation.

Licensee is Whole Foods Market Pacific NW, Inc. Keith Manbeck, President; Albert Percival, Secretary; Whole Foods Market, Inc., Stockholder; Anthony Gallo, President; Heather Stern, Vice President/Secretary; Michael Deal, Director; Walnut Sub Properties, LLC, Stockholder; Walnut Sub Enterprises, LLC, Member; Michael Deal, Manager; Amazon.com Services, Inc., Member; Michael Deal, President/Secretary/Treasurer; Jeff Van Hove, Vice President; Amazon.com, Inc., Stockholder.

WOODBURN MEGA FOODS in Woodburn, will pay a $1,485 civil penalty **or** serve a nine-day suspension one violation.

Licensee is B & E4, LLC; Bobby Ellis, Managing Member; Julie Ellis, Member.

RINGO'S BAR & GRILL in Beaverton surrendered its license on March 12, 2020, and the Commission accepted the surrender. Licensee will accept a Letter of Reprimand for one violation.

Licensee is Sunshower, Inc.; Joseph Ringo, President/Director/Stockholder; Kathleen Ringo, Sec/Director/Stockholder.

Temporary action taken on:

> **OAR 845-006-0425 - Hours of Sale.** *The temporary amendments to this rule would allow the sale of alcohol to start at 6:00 am; and thus, enable Oregonians who are at a higher risk for severe illness, such as older adults, to be in the store at a time when there are fewer customers in the store. These amendments are effective April 17th through October 13th, 2020.*
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> **OAR 845-005-0424** - *Guidelines for Approval of a For-Hire Carrier's Plan for Delivery of Malt Beverages, Wine or Cider. The temporary amendments align permissible delivery hours for carriers with the hours provided to direct shipper permit holders and off-premises sales licensees during the COVID-19 pandemic. These amendments are effective April 17th through October 13th, 2020.*
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> **OAR 845-005-0417** - *Qualifications for Direct Shipment and Retail Delivery of Malt Beverages, Wine, or Cider to a Resident of Oregon. The temporary amendments eliminate the requirement for licensees, who are able to deliver malt beverages, wine and cider to Oregon residents, to obtain prior approval for same-day delivery.*

A copy of the Stipulated Settlement Agreements for Alcohol Violation Cases can be found on the OLCC website, on the Laws & Rules page under the Final Orders section.

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