

Minnesota's Laws on Tastings and Samples of Alcohol

Minnesota Statutes make a distinction between events for the tasting of alcoholic beverages and the provision by vendors of free samples of wine, beer, and liquor.

Tastings may be conducted by licensed establishments, nonprofits, and liquor stores

There are three statutorily acceptable methods for conducting a tasting:

- (1) *Licensed establishments*: A bar, restaurant, taproom, or other holder of an on-sale intoxicating liquor license can hold a tasting as part of the normal operation of the establishment and would presumably charge a fee for either the event or each glass of wine, distilled spirits, or malt liquor served.
- (2) *Nonprofits or charities*: A nonprofit or charity may conduct a tasting under [section 340A.418](#). This section provides that:
 - a wine or beer tasting is defined as an “event at which persons pay a fee or donation to participate, and are allowed to consume wine or malt liquor by the glass without paying a separate charge for each glass”;
 - these events can be no more than four hours in duration and receipts are to be dedicated to the charitable purpose;
 - the charity or nonprofit must hold a temporary license or conduct the tasting on the premises of the holder of an existing on-sale license;
 - no wine or malt liquor may be sold and no orders taken for off-premises consumption; and
 - donations from and arrangements with wine or malt liquor wholesalers are permissible.
- (3) *Exclusive liquor stores*: A broader range of tastings and classes may be held by an exclusive liquor store. These include tastings of wine, distilled spirits, and malt liquors. There are two ways that these stores can conduct such tastings:
 - off-site, if those tastings are held at the premises of the holder of an on-sale license as specified under [section 340A.419](#), subdivision 2, paragraph (a)
 - on-site, if those tastings are held in classes conducted at the liquor store, under [section 340A.419](#), subdivision 2, paragraph (f)

These tastings may not be accompanied by sales of the items, but may include the use of order forms where such items can be later purchased.

The existence of three separate methods of tastings, the differences in the kinds of liquor, and the ways that tastings can be conducted, may cause confusion. Local governments and the Department of Public Safety are the final arbiters of what tastings are allowable in a given jurisdiction.

Liquor stores, bars, licensed manufacturers, and farm wineries can offer samples

[Minnesota Statutes, section 340A.510](#), allows a liquor store, bar, or municipal liquor store to either offer free samples directly or to allow a licensed manufacturer or wholesaler to provide samples on their premises. Sample sizes are limited to 100 milliliters for malt liquors, 50 milliliters for wine, 25 milliliters of liqueur or cordial, and 15 milliliters of distilled spirits. Samples must be of beverages that are otherwise for sale.

Samples may not be offered at retail establishments that do not hold an on-sale, off-sale, or municipal liquor license. Minnesota law is silent on whether brewery tours may offer samples, although there is no direct prohibition, and taxes are not collected on beer served on-site at the brewery ([Minn. Stat. § 297G.07](#), subd. 1 (4)). In addition, breweries are allowed to open “taprooms,” where beer brewed on the premises may be both sampled and served.

A number of off-sale licensees have begun to build both sampling and tastings into their business model, creating sampling stations open for multiple hours and days and conducting classes on- or off-site, with associated tastings. The law on tastings was clarified in 2012 to make such tastings legal ([Minn. Stat. § 340A.419](#), subd. 2). This modification has the potential to change the nature of an off-sale business.

A farm winery may give free samples of its products ([Minn. Stat. § 340A.315](#)) and may hold other licenses, including on-sale licenses in order to operate bars or restaurants. A 2008 law allows farm wineries to produce distilled spirits and to give 15-milliliter samples of each variety produced. A 2013 law allows microdistilleries to give samples of 15 milliliters per beverage, not to exceed 45 milliliters per visit.

Establishments can offer alcohol at culinary classes

A limited on-sale liquor license may be issued to establishments that conduct culinary classes, and under this license, participants may be served up to six ounces of wine or 12 ounces of intoxicating malt liquor, for consumption on the premises. As an alternative, a culinary establishment may hold a regular on-sale license and serve beverages under general on-sale laws. Culinary establishments may only hold a regular on-sale license if they are also a restaurant, hotel, etc. In addition, liquor stores and wine or malt liquor educators are allowed to conduct classes and serve alcohol at these classes.

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