

739 used for tasting and analysis, the department affixes to the retail licensee sample a label clearly
 740 identifying the product as a "retail licensee sample."

741 (ii) The department may assess the actual cost of labeling for a retail licensee sample.

742 (d) (i) A retail licensee sample of liquor may not exceed one liter.

743 (ii) Notwithstanding Subsection (7)(d)(i), a retail licensee sample of the following may
 744 not exceed one liter unless that exact product is only commercially packaged in a larger size,
 745 not to exceed five liters:

746 (A) wine;

747 (B) heavy beer; or

748 (C) a flavored malt beverage.

749 (e) (i) The sampling and analysis of a retail licensee sample by a retail licensee under
 750 this Subsection (7) may only occur at:

751 (A) a state store, notwithstanding Subsection 32B-2-503(7)(b);

752 (B) a package agency, notwithstanding Subsection 32B-2-605(15)(b); or

753 (C) a trade show.

754 (ii) ~~§~~ ~~→~~ [For a tasting and analysis held at a trade show, the department shall assess the one
 755 ~~or more industry representatives hosting the trade show] The department shall assess an industry~~
 755a ~~representative conducting a tasting and analysis under this Subsection (7) ~~←~~ ~~§~~ the actual cost~~
 755b ~~§~~ ~~→~~ [of] to ~~←~~ ~~§~~ the department ~~§~~ ~~→~~ incurred because of the tasting and analysis,
 755c ~~including for a tasting and analysis held at a trade show, the cost of the department ~~←~~ ~~§~~~~
 756 ~~attending and supervising the trade show ~~§~~ ~~→~~ [and the] . An ~~←~~ ~~§~~ industry ~~§~~ ~~→~~ [representatives]~~
 756a ~~representative ~~←~~ ~~§~~ shall pay the cost~~
 757 ~~assessed ~~§~~ ~~→~~ by the department ~~←~~ ~~§~~ as a condition to conducting the tasting and analysis.~~

758 (iii) An industry representative may participate in the tasting and analysis of a retail
 759 licensee sample.

760 (iv) Only an owner, manager, or other individual who purchases an alcoholic product
 761 for a retail licensee may on behalf of the retail licensee taste and analyze one or more retail
 762 licensee samples.

763 (f) (i) An alcoholic product may not be consumed during the time that an individual
 764 tastes or analyzes liquor.

765 (ii) An individual described in Subsection (7)(e) may taste and analyze no more than
 766 the following of a retail licensee sample:

767 (A) 1.5 ounces of a particular type, vintage, and production lot of a particular branded
 768 product of wine, heavy beer, or flavored malt beverage; or

769 (B) .5 ounces of a particular type, vintage, and production lot of a particular branded

770 product of spirituous liquor.

771 (g) An industry representative may bring food to taste with a retail licensee sample
772 being tasted and analyzed under this Subsection (7).

773 (h) An industry representative may add another alcoholic product to the amount of a
774 retail licensee sample being tasted and analyzed under this Subsection (7) if:

775 (i) the other alcoholic product is:

776 (A) used as a secondary flavoring ingredient;

777 (B) used in conjunction with the primary liquor;

778 (C) not the only liquor in the beverage; and

779 (D) purchased from the department; and

780 (ii) an individual has no more than 2.5 ounces of spirituous liquor at a time before the
781 individual.

782 (i) An industry representative shall:

783 (i) account for and record each retail licensee sample received;

784 (ii) account for each retail licensee sample's disposition; and

785 (iii) maintain a record of the retail licensee sample and its disposition for a one-year
786 period.

787 (j) After a tasting and analysis under this Subsection (7) is completed, an industry
788 representative shall remove from the location at which the tasting and analysis occurred the
789 retail licensee samples brought by the industry representative, including the unused contents of
790 an opened product remaining after a product is tasted and analyzed.

791 (k) An industry representative may not give or otherwise furnish any item, including
792 point of sale advertising material, to a person as part of a tasting and analysis under this
793 Subsection (7) or take any action that would constitute a violation of Section 32B-4-706,
794 Commercial bribery, as part of a tasting and analysis under this Subsection (7).

794a **§→ (l) Subject to Subsection 32B-3-204(5), if a licensee or staff of the licensee violates this**
794b **Subsection (7), the licensee is subject to the penalties for a grave violation, as established by**
794c **rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,**
794d **including fines, suspension of the license, or revocation of the license. ←§**

795 [~~(7)~~] (8) An educational seminar may involve an industry member under the conditions
796 listed in this Subsection [~~(7)~~] (8).

797 (a) An industry member may provide or participate in an educational seminar:

798 (i) involving:

799 (A) the department;

800 (B) a retailer;