

File #: 305187

Date: May 20, 2021

By email to: \$.22

Dear Complainant,

The Liquor Control and Licensing Act and the Cannabis Control and Licensing Act allows the General Manager of the Liquor and Cannabis Regulation Branch (LCRB) to delegate responsibility for the regulation of compliance and enforcement matters to the Deputy General Manager (DGM) of the Compliance and Enforcement Division (C&E). In turn, the DGM delegates responsibility to manage complaints related to anything on the following list to a Regional Manager of C&E:

- liquor manufacturing in B.C. (including manufacturer onsite stores and service areas)
- private liquor retail sales (liquor stores, wine stores)
- hospitality liquor sales (bars, pubs, nightclubs, restaurants)
- liquor sales at special events held under a special event permit, and
- private non-medical cannabis retail sales

I acknowledge your complaint against Di Beppe Restaurant, La Mezcaleria, Pourhouse Restaurant, Hawksworth and Bartholomew received on May 20, 2021. Within your complaint you allege that these establishments are selling pre-mixed cocktails for delivery, which is contrary to the Terms and Conditions.

Your complaint has been assigned to Liquor and Cannabis Inspector Bhally Masyana who may contact you for further information. Regarding your complaint, the LCRB will determine either that:

- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB; or
- A contravention has occurred and the LCRB will take enforcement action against the licensee or permittee in which case they have the right to sign a waiver accepting responsibility or dispute the alleged contravention at a hearing.

Liquor and Cannabis Regulation Branch

Mailing Address:

Liquor and Cannabis Regulation Branch PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Toll Free: 1 (866) 209-2111 Facsimile:1 (250) 952-7049

Website:

www.gov.bc.ca/liquorregulationandlicensing or www.gov.bc.ca/cannabisregulationandlicensing The LCRB operates under administrative law and can only release information related to investigations or enforcement action if a waiver is signed or a decision is made at a hearing. This ensures privacy of those involved, administrative fairness to the licensee or permittee, and the integrity of the compliance and enforcement process. Either way, you will be informed when the investigation into your complaint has concluded.

If you have any questions or additional information, please email: complaints.lclb@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

Peter Mior Regional Manager Liquor and Cannabis Regulation branch

Cc: Liquor and Cannabis Inspector Bhally Masyana, Vancouver 7

 From:
 Mior, Peter LCRB:EX

 To:
 Chiu, Victoria LCRB:EX

 Cc:
 Kerluck, Eric LCRB:EX

Subject: FW: Automatic reply: Illegal activities

Date: Wednesday, May 19, 2021 9:40:55 AM

Attachments: Screenshot 20210517-154121.png

Screenshot 20210513-083112~2.png Screenshot 20210517-154158~2.png Screenshot 20210513-083222~2.png

Hello Victoria.

Would you please enter complaints on the establishment below with the corresponding screenshots.

Thank you.

Peter Mior | Regional Manager Compliance and Enforcement Liquor & Cannabis Regulation Branch

300 - 1770 Burrard St. | Vancouver BC V6J 3G7

P: 778 572-5342 | F: 604-775-0044

From: s.22

Sent: May 17, 2021 4:32 PM

To: LCRB Liquor Policy LCRB:EX <LCRBLiquorPolicy@gov.bc.ca>

Subject: Fwd: Automatic reply: Illegal activities

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi there,

I have contacted you a few days ago (bellow email).

I would like to add more establishments that are not following the laws.

- Pourhouse, selling to go pre-bottled cocktail and advertising to take it to the park.
- Hawksworth advertising pre-bottled cocktail to go.
- -Bartholomew advertising pre-bottled cocktail delivered.

I have attached pictures from there social media facebook and instagram and online menu.

This is going on, everybody is doing it and it is not legal at all.....

On Thu., May 6, 2021, 2:11 p.m. LCRB Liquor Policy LCRB:EX, <<u>LCRBLiquorPolicy@gov.bc.ca</u>> wrote:

Hello,

Thank you for contacting the liquor policy team at the British Columbia Liquor and Cannabis Regulation Branch.

Please note that due to current circumstances related to COVID-19, we are receiving a large volume of correspondence. We understand this is a challenging time, and will respond to your email as soon as we can.

In the meantime, the following resources may help you find what you're looking for:

- See what's new at the LCRB<<u>https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/about-lcrb/lcrb-new</u>>
- Access recent policy changes https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-licence-permits/liquor-law-policy/liquor-policy-directives
- Review the current Terms and Conditions

 Handbookshttps://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-licence-permits/liquor-law-policy/liquor-licence-terms-conditions-manuals>
- Access the Serving it Right and Special Event Server programs and obtain a copy of your certificate at ResponsibleServiceBC.gov.bc.cahttps://www.responsibleservicebc.gov.bc.ca/

Regards,

Liquor Policy and Communications
Liquor and Cannabis Regulation Branch
www.gov.bc.ca/lcrb<http://www.gov.bc.ca/lcrb>

To protect your privacy, Liquor and Cannabis Regulation Branch will not accept emailed applications containing credit card information.



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Withheld pursuant to/removed as

From: s.22

To: LCRB Liquor Policy LCRB:EX

Subject: Fwd: Automatic reply: Illegal activities

 Date:
 May 17, 2021 4:31:59 PM

 Attachments:
 Screenshot 20210517-154121.png

Screenshot 20210513-083112~2.png Screenshot 20210517-154158~2.png Screenshot 20210513-083222~2.png

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BR

s.22

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- Access recent policy changes < https://www2.gov.bc.ca/gov/content/employment-

business/business/liquor-regulation-licensing/liquor-licence-permits/liquor-law-policy/liquor-policy-directives>

• Review the current Terms and Conditions

Handbookshttps://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-licence-permits/liquor-law-policy/liquor-licence-terms-conditions-manuals

 Access the Serving it Right and Special Event Server programs and obtain a copy of your certificate at

ResponsibleServiceBC.gov.bc.cahttps://www.responsibleservicebc.gov.bc.ca/

Regards,

Liquor Policy and Communications Liquor and Cannabis Regulation Branch www.gov.bc.ca/lcrb>http://www.gov.bc.ca/lcrb>

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From: LCRB Liquor Policy LCRB:EX

To: ົວລ

Subject: RE: Bottled cocktail off sale inquiry Date: May 11, 2021 10:07:57 AM

Hello s.22

Thank you for your email.

To support the industry during the pandemic, the Liquor and Cannabis Regulation Branch has permanently authorized liquor primary and food primary establishments to sell packaged liquor for takeout with a meal. Cocktails mixed at a food primary or liquor primary establishment aren't included in this authorization.

For the purposes of this authorization, packaged and unopened liquor means in the container the manufacturer sold the product in. You must not sell any liquor for off-site consumption that you have enclosed in a container yourself, with the exception of draught beer in growlers. For more information, please see page 20 of the Food Primary Terms and Conditions Handbook.

Don't hesitate to reply to this message if you have any further questions.

Kind regards,

Liquor Policy and Communications

Liquor and Cannabis Regulation Branch

www.gov.bc.ca/lcrb



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Any distribution, copying, or other use by anyone else is strictly prohibited. If you have received this email in error, please destroy the email and any attachments immediately and notify me by email.

From S.22

Sent: May 5, 2021 9:49 AM To: LCRB Liquor Policy LCRB:EX

Subject: Bottled cocktail off sale inquiry

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello, I am emailing regarding policies about bottled cocktails done by licensed premises for off sales.

I have brought up my questions and concerns to your regional manager, but he could not provide me with a definitive answer or assist with my complaints regarding another business that is prebottling mixed drinks and shipping all over the province.

The information your regional manager could only provide me was the following:

Dispensing Liquor and Mixing Drinks

You are permitted to pre-mix drinks by hand or using devices, such as a Bellini machine, in anticipation of patrons

ordering them, as long as the liquor used comes from the original containers purchased from the

Distribution Branch. You cannot refill original containers purchased from the Liquor Distribution Branch with

anything. Doing so would make monitoring unlawful liquor difficult.

You are permitted to infuse liquor and age cocktails, as long as it is done in a container other than the original

container the liquor was in when legally purchased. In the case of infusion, you may infuse liquor with spices,

herbs, fruits, vegetables, candy or other substances intended for human consumption. In the case of aging

cocktails, licensees may prepare a cocktail with any substance intended for human consumption. This does not outline or mention anything regarding off sale of bottled cocktails or adding liquor to mixes for cocktails kits. I am hoping you can provide more details regarding this. I would love to schedule a call with someone and comb through the act on these policies. Many of our establishments rely on providing experiences to our customers but we're not able to do so at the moment with the current order. This includes spirit tasting events for educational purposes.

Any details would be very much appreciated.

s.22

From: s.22

To:LCRB Complaints LCRB:EXSubject:Take out cocktailsDate:May 6, 2020 12:06:49 AM

Hello I called to complain and was told to email.

Baja Cantina in white rock is serving margaritas from their takeout window.

15519 marine drive white rock.

While other businesses are following the temporary directions for sales of packaged alcohol, this restaurant is letting people walk up and down the street with margaritas in a plastic cup. Unacceptable.

Do something about it and for God sakes make it easier to report than having to send an email. I called and waited on hold after spending ten minutes listing to your convoluted menu system just to reach a human who told me to send an email. Also unacceptable!!!!

From: S.22

To: LCRB Liquor Policy LCRB:EX

Subject: Illegal activities

Date: May 6, 2021 2:11:03 PM

Attachments: Screenshot 20210506-063945~2.png

Screenshot 20210506-070909.png
Screenshot 20210506-065355~2.png
Screenshot 20210506-064137~2.png
Screenshot 20210506-063928~2.png
Screenshot 20210506-071220.png
Screenshot 20210506-071220.png
Screenshot 20210506-064105~2.png
Screenshot 20210506-064105~2.png
Screenshot 20210506-064748~2.png
Screenshot 20210506-071118.png
Screenshot 20210506-064757~2.png
Screenshot 20210506-07942.png
Screenshot 20210506-070942.png
Screenshot 20210506-065639~2.png
Screenshot 20210506-065639~2.png
Screenshot 20210506-065639~2.png
Screenshot 20210506-0656357~2.png

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi,

My name is s.22 I hope this email finds you well.

I would like to report a couple of establishment that do not follow the BC liquor guidelines.

La Mezcaleria is advertising on their social media pre-mixed cocktail, and selling thru delivery app, see attached pictures.

Bar Cart, is an online alcohol delivery. No food item are delivered with the spirit, but there is a link to a liquor store (Legacy), no food mandatory if sold under by a liquor store. Seems like Barcart is buying spirit from Legacy and re-sales it, I would be surprise if Barcart holds a liquor license. As his address is the same as a Catering company, which could be that he is using the catering company as a commissary kitchen, but the he wouldn't be allowed to deliver and wouldn't be allowed to display labels on websites, social media,... They have been operating for over a year. (Barcart.ca)

I have attached a conversation s.22 I saw on Facebook, confirming that Barcart is a delivery service, basically the service provided is completely illegal, reselling alcohol without a license...

Di Beppe cafe is selling home bottled Aperol Spritz, Negroni,... See picture attached.

Been in the industry and following published laws and to see other establishments doing whatever they want is so unfair.

Doesn't the law applies to everyone? Or anyone can do anything as long as they

don't get caught ?

BR

s.22

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7:12 ☑ 15%

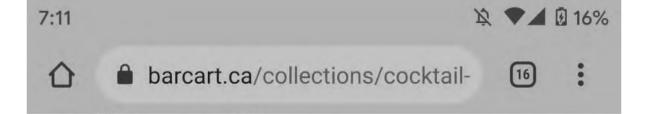
⚠ barcart.ca/collections/beer-and 16 :



← La Mezcaleria



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:

From: LCRB Liquor Policy LCRB:EX To: Cridland, Ronald LCRB:EX

FW: Reporting Non-compliance in Alcohol Delivery Business in Vancouver Subject:

Date: April 28, 2021 3:19:00 PM

Attachments: image003.png

image001.jpg

Good afternoon Ron.

I'd like to forward this email for you as well as I'm not sure who would be able to follow up on this. Thank you

Please don't hesitate to contact us if you have additional questions.

Regards,

Liquor Policy and Communications

Liquor and Cannabis Regulation Branch

https://gov.bc.ca/lcrb



A Please consider the environment before printing this email.

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From: s.22

Sent: April 26, 2021 1:13 PM

To: LCRB Liquor Policy LCRB:EX <LCRBLiquorPolicy@gov.bc.ca>

Cc: s.22

Subject: Reporting Non-compliance in Alcohol Delivery Business in Vancouver

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello,

This is s.22 a hospitality start-up and small business

owner based in Vancouver, who despite all the challenges and difficulties caused by Pandemic, still thrive to implement useful ideas while fully complying with all the regulations.

It has been brought to our attention that a cocktail kit delivery business operating under name "BarCart" has been operating in the alcohol sales and delivery business space without compliance with regulatory requirements. Our understanding is that as per the current regulations, off-premises alcohol sales for delivery is only acceptable via the following licenses:

- a. Liquor store license
- b. Food/liquor primary license (needs accompanying food item)

We have been informed that BarCart is operating out of a commissary kitchen named "Emelle's" which allows them to comply with the food safety requirements for packaging the non-alcoholic components; having said that, their liquor license remains a mystery, specially since all their advertisement and delivered products do not have any accompanying food items. Furthermore, the liquor license must be tied to the address and the address is for Emelle's catering which do not carry a liquor store license. I would like to submit this letter as a formal report of non-compliance and request immediate investigation into the matter as we are all working hard within this industry to survive these difficult times and fairness above all is a necessity for business.

Please do not hesitate to contact me directly for any questions.

Thanks...

s.22

From: Gill, Rupi K LCRB:EX

To: Rodger, Thomas M LCRB:EX; Corley, Tegan LCRB:EX; Lennox, Brenda LCRB:EX

Cc: Kendall, Mitch LCRB:EX

Subject: FW: LP/FP off-site sales compliance

Date: March 30, 2021 2:00:07 PM

Here is some feedback from one region that I thought was particularly comprehensive and captures the experience with this so far.

And in terms of a C&E contact, it would be Mitch Kendall, copied on this email, who will work with the group.

Thanks

Rupi

From: Kendall, Mitch LCRB:EX < Mitch. Kendall@gov.bc.ca>

Sent: March 30, 2021 9:16 AM

To: Gill, Rupi K LCRB:EX <Rupi.Gill@gov.bc.ca>; Hitchcock, Stephen LCRB:EX

<Stephen.Hitchcock@gov.bc.ca>; Mior, Peter LCRB:EX <Peter.Mior@gov.bc.ca>; Castle, McKenzie

LCRB:EX <McKenzie.Castle@gov.bc.ca>; Trelenberg, Michelle LCRB:EX

<Michelle.Trelenberg@gov.bc.ca>

Cc: Lozinski, Kurt LCRB:EX <Kurt.Lozinski@gov.bc.ca>

Subject: RE: LP/FP off-site sales compliance

Below are a handful of comments that I have revieved back

Yes, I had a LP asking what constitutes a meal.

I expect this has to be clearly defined and there needs to be a limit on the amount of liquor supplied.

If there is a work around, some licensee's are going to find and explore.

I haven't seen any issues with this. However I see what they are saying as how do we define a meal. This came up years ago when new years was bigger and people asked what the meaning of food was. I think we need to clearly identify what a meal is, which is going to be hard. Is an order of fries a meal, or do you need to put cheese and gravy on it. The word meal is very subjective I think and with the vast cultures we have in the province it is going to be tough.

I have paid particular attention to this, and have a lot of businesses expanding their take away and delivery business - Obviously from tomorrow the volume will increase due to the new restrictions.

I have not seen this happen, and I am seeing a lot more take away food even from LPs. I have questioned operators, and even looked at some of their sales figures; and the pattern seems to be very much 6 packs, bottle of wine with food orders. Some aren't even offering it. Even LPs with true off sales endorsements are generally selling food with them. (Consistent with feedback from ABLE--Rupi)

Talking to Reps it would appear that East Kootenay draft sales are way down, but packaged product in FPs and LPs is fairly constant. Stores have soared according to everyone I talk to.

Mitch Kendall

Regional Liquor & Cannabis Inspector

Liquor & Cannabis Regulation Branch (LCRB)
250-455 Columbia Street
Kamloops, BC - V2C 6K4
Desk Phone 250-312-6533
Cell Phone 778-257-0527
Email – mitch.kendall@gov.bc.ca

From: Gill, Rupi K LCRB:EX < Rupi. Gill@gov.bc.ca>

Sent: March 29, 2021 10:55 AM

To: Hitchcock, Stephen LCRB:EX < stephen.Hitchcock@gov.bc.ca; Mior, Peter LCRB:EX

<Peter.Mior@gov.bc.ca>; Kendall, Mitch LCRB:EX < Mitch.Kendall@gov.bc.ca>; Castle, McKenzie

LCRB:EX < McKenzie.Castle@gov.bc.ca >; Trelenberg, Michelle LCRB:EX

< Michelle. Trelenberg@gov.bc.ca>

Cc: Lozinski, Kurt LCRB:EX < Kurt.Lozinski@gov.bc.ca>

Subject: FW: LP/FP off-site sales compliance

Hello all

Please see below. Do you have any recent feedback on this from what Inspectors are seeing in the field?

If I could get a response back by EOD this Wednesday.

Thanks Rupi

From: Rodger, Thomas M LCRB:EX < Thomas.Rodger@gov.bc.ca>

Sent: March 26, 2021 6:36 PM

To: Gill, Rupi K LCRB:EX < Rupi.Gill@gov.bc.ca>

Cc: Lennox, Brenda LCRB:EX < Brenda.Lennox@gov.bc.ca >; Corley, Tegan LCRB:EX < Tegan.Corley@gov.bc.ca >; Sharpe, Jessica LCRB:EX < Jessica.Sharpe@gov.bc.ca >

Subject: LP/FP off-site sales compliance

Hi Rupi,

s.13

I've heard through various conversations with Licensing, Rising Tide and HLTH that there are increasing signs of licensees going soft on the 'meal' requirement and applicants asking questions which would imply they intend to low-ball those requirements as well.

I just wonder – are you hearing the same from your inspectors?

Suggest C&E/Licensing/Policy meet early next week \$.22 to pull together info before BTAP on April 9. If things are already heading in the wrong direction, that would be an ideal opportunity to raise concerns, get their view and support to reinforce the messaging – but we'd need to brief up soon.

Thanks - Tom

Manager, Liquor Policy and Legislation

Pronouns: he/him/his

Liquor and Cannabis Regulation Branch | Ministry of Attorney General

Phone: 778 698-7402

SERVICE ACCOUNTABILITY TEAMWORK CURIOSITY PASSION COURAGE ALWAYS WITH INTEGRITY

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 From:
 Gill, Rupi K LCRB:EX

 To:
 Rodger, Thomas M LCRB:EX

Cc: Lennox, Brenda LCRB:EX; Corley, Tegan LCRB:EX; Sharpe, Jessica LCRB:EX

Subject: RE: LP/FP off-site sales compliance

Date: March 29, 2021 10:50:12 AM

Thanks Tom,

When the offsite was first permitted (temp), I know that our Inspectors were dealing with those lax interpretations and we were seeing bottles of wine packaged with cheese and bread or with fries.. I have not heard anything more recently but will canvas the Mgmt team.

Thanks Rupi

From: Rodger, Thomas M LCRB:EX <Thomas.Rodger@gov.bc.ca>

Sent: March 26, 2021 6:36 PM

To: Gill, Rupi K LCRB:EX <Rupi.Gill@gov.bc.ca>

Cc: Lennox, Brenda LCRB:EX <Brenda.Lennox@gov.bc.ca>; Corley, Tegan LCRB:EX <Tegan.Corley@gov.bc.ca>; Sharpe, Jessica LCRB:EX <Jessica.Sharpe@gov.bc.ca>

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Pronouns: he/him/his

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Withheld pursuant to/removed as

s.22

 From:
 Castle. McKenzie LCRB:EX

 To:
 Rodger. Thomas M LCRB:EX

Cc: Corley, Tegan LCRB:EX; Mior, Peter LCRB:EX

Subject: RE: DN for review, LP/FP off-site sales

Date: December 24, 2020 2:37:09 PM

Yes I would say it's only occasionally we see establishments trying to offer liquor without a meal or testing the boundaries of a "meal" and again occasionally dealing with the volume of liquor.

Thanks for the response and if any issue seem to become problematic in the future, I will ensure we bring it to you attention

Have a great Holiday

From: Rodger, Thomas M LCRB:EX <Thomas.Rodger@gov.bc.ca>

Sent: December 24, 2020 2:11 PM

To: Castle, McKenzie LCRB:EX < McKenzie.Castle@gov.bc.ca>

Cc: Corley, Tegan LCRB:EX <Tegan.Corley@gov.bc.ca>; Mior, Peter LCRB:EX <Peter.Mior@gov.bc.ca>

Subject: RE: DN for review, LP/FP off-site sales

Hi McKenzie,

Thanks for this.

I'd say the policy intent is "to allow for the sale of liquor consistent with the consumption of a meal" (in addition to supporting licensees, etc.)

Yes, the advice we received from Peter when last we spoke on this was that people selling "meals, but they're not really meals" are actually quite rare, and can be managed through usual education/stern voice approaches. The industry associations surveyed their members and discovered that the vast majority of licensees are only selling a 6-pack of beer or a bottle of wine, and hardly ever spirits. So strong was this feedback, that ABLE (i.e., rep of the retail stores who might stand to lose out here) acknowledged that the LPs/FPs are overwhelmingly acting in the spirit of the authorization and not creating competition with the retail stores.

With that feedback from C&E and the industry, s.13 s.13

s.13 impose them at short-notice if down the line more licensee start being creative with the idea of a "meal" or excessive in the quantities of liquor they're selling. We'll be looking to C&E (and would likely also consult with industry stakehodlers) for indication of those changes.

I should say, Health will be very strong s.13 So we may reverse course yet

And MS sounded keen on the idea.

All the best – and I hope you and yours keep well for the holidays.

Tom

From: Castle, McKenzie LCRB:EX < McKenzie.Castle@gov.bc.ca>

Sent: December 24, 2020 10:24 AM

To: Rodger, Thomas M LCRB:EX < Thomas.Rodger@gov.bc.ca >

Subject: RE: DN for review, LP/FP off-site sales

Hey Tom,

I have no issues with making this permanent. We are currently interpreting a meal as something that would eat as a meal and therefore popcorn, a loaf of bread or fruit would not qualify as a meal. The only thing that has come up but only on occasion is quantity of liquor that can be ordered for the one meal ie. 4 bottles of wine, a six pack of beer and a bottle of tequila with one meal. Is the intent to order liquor with your meal rather than liquor for the week.

Just my thoughts.

Mac

From: Rodger, Thomas M LCRB:EX < Thomas.Rodger@gov.bc.ca>

Sent: December 21, 2020 12:18 PM

To: Sharpe, Jessica LCRB:EX < <u>Jessica.Sharpe@gov.bc.ca</u>>; Mai, Janie LCRB:EX < <u>Janie.Mai@gov.bc.ca</u>>; Castle, McKenzie LCRB:EX < <u>McKenzie.Castle@gov.bc.ca</u>>

Cc: Bates, Julia LCRB:EX < <u>Julia.Bates@gov.bc.ca</u>>; Huska, Joshua LCRB:EX

<<u>Joshua.Huska@gov.bc.ca</u>>; Lennox, Brenda LCRB:EX <<u>Brenda.Lennox@gov.bc.ca</u>>; Mior, Peter

LCRB:EX < Peter. Mior@gov.bc.ca>; Corley, Tegan LCRB:EX < Tegan.Corley@gov.bc.ca>

Subject: DN for review, LP/FP off-site sales

Hi all,

Please find attached the DN on LP/FP off-site sales authorization. Mostly of interest I think for C&E. Can you let me know if you would like changes/additions before Dec. 24?

Feedback last time was that there have been no significant compliance issues, and that s.13 s.13

s.13 Advice from industry on the existing volume of

these sales would seem consistent with the policy intent without the need for our intervention — that undermines the 'competition' case for the limits and I would suggest some of the health concern.

We don't go into detail about the relationship to Off-site Sales endorsement. To me, that there is no

meal requirement for that is enough to still mean it has a purpose. But do let me know if you disagree.

Sharing with Directors as FYI.

Thanks - Tom

Manager, Liquor Policy and Legislation

Pronouns: he/him/his

Liquor and Cannabis Regulation Branch | Ministry of Attorney General

Phone: 778 698-7402

SERVICE ACCOUNTABILITY TEAMWORK CURIOSITY PASSION COURAGE ALWAYS WITH INTEGRITY

This communication (both the message and any attachments) may be confidential and protected by privilege. It is intended only for the use of the person or persons to whom it is addressed. Any distribution, copying, or other use by anyone else is strictly prohibited. If you have received this communication in error, please destroy the email message and any attachments immediately and notify me by telephone or by email.

From: LCRB Liquor Policy LCRB:EX

To: LCRB Complaints LCRB:EX

Subject: FW: Reporting Illegal Alcohol Sales by Establishment Licensees

Date: December 22, 2020 8:24:00 AM

Over to you...

From: s.22

Sent: December 22, 2020 12:19 AM

To: LCRB Liquor Policy LCRB:EX <LCRBLiquorPolicy@gov.bc.ca>

Cc:s.22

Subject: Reporting Illegal Alcohol Sales by Establishment Licensees

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello

This is \$.22

a hospitality startup and small business owner

based in Vancouver, who despite all the challenges and difficulties caused by Pandemic, still thrive to implement useful ideas while fully complying with all the regulations.

Yet, certain fellow business owners publicly ignore the law and even advertise their breaking of the law. Recently I came across an Instagram post by La Mezcaleria in Vancouver, publicly advertising sales and delivery of house batched and bottled pre-mixed cocktails and even on DoorDash! That's just bizaar and just absolutely unfair and completely against the law. Food Primary Terms and Conditions, dated September 2020, Sales of Liquor for Off-Site Consumption Without Endorsement: Temporary Authority reads "...You must not sell any liquor for off-site consumption that you have packaged yourself...".

Below is a link to the referred social media post:

https://www.instagram.com/p/CI7KH2bBLNa/?utm_source=ig_web_button_share_sheet

I am formally reporting this illegal activity and hope you can investigate immediately to bring fairness to our industry.

I would appreciate your response in confirmation of receiving this email.

Cheers...

s.22

From: Rodger, Thomas M LCRB:EX

To: Corley, Tegan LCRB:EX; Sanghe, Ramandeep LCRB:EX

Subject: FW: Complaint re: Small Plates

Date: September 24, 2020 11:54:04 AM

FYI.

From: Rousselle, Jillian LCRB:EX < Jillian.Rousselle@gov.bc.ca>

Sent: September 24, 2020 11:31 AM

To: Rodger, Thomas M LCRB:EX <Thomas.Rodger@gov.bc.ca>; Lennox, Brenda LCRB:EX

<Brenda.Lennox@gov.bc.ca>

Subject: FW: Complaint re: Small Plates

FYI. No action required.

From: Gill, Rupi K LCRB:EX < Rupi.Gill@gov.bc.ca>

Sent: September 23, 2020 5:10 PM

To: Rousselle, Jillian LCRB:EX < <u>Jillian.Rousselle@gov.bc.ca</u>> **Cc:** Smith, Dugald LCRB:EX < <u>Dugald.Smith@gov.bc.ca</u>>

Subject: FW: Complaint re: Small Plates

Hi Jillian,

Further to our meeting this morning. Here is the complaint I mentioned re: alcohol delivery with meal purchase.

The licensee was selling food (grocery) items with the alcohol and not meals. The inspector provided him with education and the licensee said that he would cease the off premise sales until he could be in compliance with the meal requirement.

I am not aware of any other formal complaints. In early stages, Inspectors were addressing many instances of clarifying the requirement for a meal and not food items but not much has surfaced lately.

Dugald, I believe you also expressed an interest in this complaint Rupi

From: s.22

Sent: August 6, 2020 3:53 PM

To: Cridland, Ronald LCRB:EX <<u>Ronald.Cridland@gov.bc.ca</u>> **Cc:** Fearn, Harold (Gord) G LCRB:EX <<u>Gord.Fearn@gov.bc.ca</u>>

Subject: Re: Complaint Small Plates

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Thank you for the reply.

I realize that I was not at all clear in the description of my concern, so will attempt to do so now. I understand that restaurants now have the ability to deliver liquor with the purchase of a meal for off-site consumption. Stage has an extensive and self described "pop up liquor store" on line that one can order from, but has no meals at all available for delivery. It has a small general store online that sells a few packaged food items, but nothing that resembles what one would consider a meal. I have no issue with how Stage has traditionally as a small plate restaurant, or with their very limited return to food service with the one set meal per evening. However if they are going to deliver liquor then it should be with a meal, unless my understanding of the policy is not correct, and if that is the case, please let me know.

s.22

Sent from my iPad

On Aug 6, 2020, at 3:16 PM, Cridland, Ronald LCRB:EX < Ronald.Cridland@gov.bc.ca> wrote:

File #: 302568

Date: August 6, 2020

Dears.22

By email to: \$.22

The Deputy General Manager, Compliance and Enforcement Division, Liquor and Cannabis Regulation Branch (branch) has been delegated responsibility by the General Manager for the regulation of both the liquor and cannabis industries in British Columbia in matters of compliance and enforcement mandated under the Liquor Control and Licensing Act (LCLA) and the Cannabis Control and Licensing Act (CCLA). As a Regional Manager, I have responsibility to manage complaints that relate to the above named Acts.

I acknowledge your complaint against Stage Small Plates Wine Bar on August 6, 2020. Within your complaint you allege:

- Food Primary Operate outside of licence purpose, s. 18(1)(a) Reg Your complaint has been assigned to Liquor and Cannabis Inspector Gord Fearn who may contact you for further information. Regarding your complaint, the LCRB will determine either that:
- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB: or
- A contravention has occurred and the LCRB will take enforcement action against the licensee or permittee in which case they have the right to sign a waiver accepting responsibility or dispute the alleged contravention at a hearing.

The LCRB operates under administrative law and can only release information related to investigations or enforcement action if a waiver is signed or a decision is made at a hearing. This ensures privacy of those involved, administrative fairness to the licensee or permittee, and the integrity of the compliance and enforcement process. Either way, you will be informed when the investigation into your complaint has concluded. If you have any questions or additional information, you may email the branch at:

LCRBComplaints@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

R J (Ron) Cridland

A/Regional Manager, Compliance and Enforcement Division

Liquor and Cannabis Regulation Branch

Cc: Liquor and Cannabis Inspector Gord Fearn

Date Prepared: September 1, 2020 Date Decision Required: September 14, 2020

MINISTRY OF ATTORNEY GENERAL LIQUOR AND CANNABIS REGULATION BRANCH DECISION BRIEFING NOTE

PURPOSE: For DECISION of David Eby, QC,

Attorney General

ISSUE:

Liquor Primary (LP) and Food Primary (FP) temporary authorization to sell liquor for offsite consumption with a meal

DECISION REQUIRED/ RECOMMENDATION:

Amend the Liquor Control and Licensing Regulation (LCLR) to extend the authorization for LPs and FPs to sell liquor for off-site consumption with the purchase of a meal for takeout or delivery to March 31, 2021 without additional volume limitation.

SUMMARY:

- LP and FP licensees are authorized to sell packaged liquor for consumption off-site with the purchase of a meal for takeout or delivery until October 31, 2020.
- This has helped to mitigate economic impacts on LP and FP licensees related to the COVID-19 pandemic and associated orders of the Provincial Health Officer (PHO).
- Extending the authorization to March 31, 2021 will provide support to industry, while enabling the collection of data to better inform a long-term decision.

BACKGROUND:

- There are approximately 2,000 LPs and 6,000 FPs. Historically, these licensees have been authorized to sell liquor to patrons for on-site consumption only, except for LPs that have an Off-Premises Sales endorsement. This endorsement is granted to LPs that are at least 30km away from a liquor store, licensee retail store or an LP with the same endorsement to fill the gap in retail liquor service.
- On March 20, 2020, in response to the COVID-19 pandemic, the PHO prohibited licensed establishments from providing on-site service.
- The Business Technical Advisory Panel (BTAP) requested that Government allow LP and FP licensees to sell and serve liquor for off-site consumption. In March 2020, the LCLR was amended to authorize this until July 15, 2020.
- LPs and FPs were limited to selling liquor for off-site consumption only with the purchase of "a meal" for takeout or delivery.
- This served two policy purposes:
 - 1) to mitigate risks that LPs and FPs would compete for off-site sales with Licensee Retail Stores and Wine Stores (liquor retail stores), and
 - 2) to limit an increase in access to liquor to respond to health concerns.
- In May 2020, the BTAP estimated that as a result of the COVID-19 pandemic 80% of the 192,000 food-service employees were laid-off and LPs saw a 90-95% decline in sales.
- On May 15, 2020 the PHO lifted the on-site prohibition, allowing for on-site service with a maximum 50% of the usual capacity effective May 19, 2020.

Cliff: 574855

Date Prepared: September 1, 2020 Date Decision Required: September 14, 2020

 Given the on-going operational challenges for LP and FP licensees related to the COVID-19 pandemic, the LCLR was amended on July 13, 2020 to extend the

authorization to October 31, 2020.

• The current PHO order issued on July 31, 2020, removed the 50% capacity requirement, but continued to require a licensee to meet physical distancing requirements (i.e. two metres distance and/or physical barrier) which may continue to limit the number of patrons who may be in the establishment at any one time.

DISCUSSION:

- Although on-site service is currently allowed, the COVID-19 pandemic and associated PHO orders have created a challenging and uncertain operating environment for LP and FP licensees.
- Liquor Distribution Branch (LDB) sales data suggests the hospitality industry continues to experience significant financial challenges. In July 2020, LDB sales to LP and FP licensees were 35% less than in the year prior (see Appendix A). It is likely that without the temporary authorization, industry losses would be significantly greater.

s.13

Page 49 of 94

Withheld pursuant to/removed as

s.13

Cliff: 574855

Date Prepared: September 1, 2020

Date Decision Required: September 14, 2020

INDIGENOUS PEOPLES CONSIDERATIONS:

 There are no anticipated direct impacts on Indigenous communities. The proposal does not impact the Government's commitment to reconciliation.

OPTIONS:

Option 1 (Recommended): Amend the LCLR to extend the authorization for LPs and FPs to sell liquor for off-site consumption with the purchase of a meal for takeout or delivery to March 31, 2021 without additional volume limitations. During this period, ABLE and Restaurants Canada will collect data to support decision-making on possible volume limitations. The Minister will be presented with Options on further extensions and volume limitations in early 2021.

Date Prepared: September 1, 2020

Date Decision Required: September 14, 2020

s.13

OTHER MINISTRIES IMPACTED/CONSULTED:

Ministry of Health

Legal Service Branch

Richard J. M. Fyfe, QC Deputy Attorney General

s.13

OPTION NUMBER/ ARPPROVED

David Eby, QC' Attorney General

PREPARED BY:

Tegan Corley Policy Analyst Liquor and Cannabis Regulation Branch 778-698-9792 September 9, 2020

Date

September 11, 2020

Date

APPROVED September 3, 2020 BY:

Mary Sue Maloughney Assistant Deputy Minister & General Manager Liquor and Cannabis Regulation Branch 778 974-4695

Cliff: 574855

Date Prepared: September 1, 2020 Date Decision Required: September 14, 2020

APPENDIX A Liquor Distribution Branch Sales Figures

Provincial Hospitality Sales

	2018		2019		2020		Change in 2019		Change in 2020	
Period	Volume Litre	Net Amount	Volume Litre	Net Amount	Volume Litre	Net Amount	Volume Litre	Net Amount	Volume Litre	Net Amount
P01	6,133,336	\$44,680,866	6,030,648	\$44,994,849	131,878	\$1,819,340	-1.7%	0.7%	-97.8%	-96.0%
P02	8,186,859	\$60,438,713	7,735,123	\$59,181,656	1,738,501	\$12,577,946	-5.5%	-2.1%	-77.5%	-78.7%
P03	6,993,854	\$50,885,626	7,010,437	\$52,996,432	3,479,525	\$25,223,878	0.2%	4.1%	-50.4%	-52.4%
P04	6,735,443	\$49,564,681	6,307,320	\$49,185,196	4,122,484	\$28,242,932	-6.4%	-0.8%	-34.6%	-42.6%
Total	28,049,492	\$205,569,886	27,083,528	\$206,358,132	9,472,388	\$67,864,096	-3.4%	0.4%	-65.0%	-67.1%

Data based on fiscal period where periods roughly equate to months:

P01 - April P02 - May P03 - June P04 - July

Cliff: 574855

Date Prepared: September 1, 2020

Date Decision Required: September 14, 2020

APPENDIX B

Wholesale Sales to Retail Stores

	2	2018 2019		2020		Change in 2019		Change in 2020		
Period	Volume Litre	Net Amount	Volume Litre	Net Amount	Volume Litre	Net Amount	Volume Litre	Net Amount	Volume Litre	Net Amount
P12	26,500,253	\$186,877,747	26,221,842	\$184,273,575	33,512,921	\$242,735,737	-1.1%	-1.4%	27.8%	31.7%
P01	27,018,856	\$185,829,779	29,147,537	\$203,434,981	38,839,625	\$260,482,990	7.9%	9.5%	33.3%	28.0%
P02	41,116,757	\$269,577,246	39,723,317	\$266,572,568	46,103,638	\$307,904,079	-3.4%	-1.1%	16.1%	15.5%
P03	34,600,618	\$225,054,591	36,285,882	\$242,647,394	36,650,183	\$253,591,430	4.9%	7.8%	1.0%	4.5%
P04	33,975,338	\$224,524,698	33,836,423	\$227,276,736	41,058,804	\$271,380,545	-0.4%	1.2%	21.3%	19.4%
Total	163,211,823	\$1,091,864,060	165,215,000	\$1,124,205,254	196,165,170	\$1,336,094,781	1.2%	3.0%	18.7%	18.8%

Note:

Sales of SHP not included in Wholesale Sales to Retail Stores

Retail Stores are based on customer types: Wine Agency Stores, Wine Shop, Rural Agency Stores, Tourist Wine Shop, L.R.S., Government Liquor Stores, Grocery, VQA

Data based on fiscal period where periods roughly equate to months:

P12 - March P01 - April Po2 - May P03 - June P04 - July

BC Stats - Population Data*

Year	Total Population	Adult (19+) Population	Volume Litre (July)	Volume Litre per Capita (adults)
2018	5,001,170	4,074,913	33,975,338	8.33
2019	5,071,336	4,145,264	33,836,423	8.16
2020	5,071,336**	4,145,264**	41,058,804	9.90

^{*}https://bcstats.shinyapps.io/popApp/ (factors entered: all of BC, years individually (2018, 2019), all genders, and custom age group (19-99+)

^{** 2020} population estimates are unavailable; data from 2019 used instead.

From: LCRB Liquor Policy LCRB:EX

To:

Subject: RE: Restaurant Off Sales - Packaged Cocktails to go

Date: August 31, 2020 11:00:00 AM

Hellos.22

Thank you for your email.

You can find the Liquor and Cannabis Regulation Branch's penalty schedule on our website here: https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/businessmanagement/liquor-regulation-licensing/documents/liquor_licensee_penalty_schedule_-<u>contravention</u> table.pdf.

Kind regards,

Liquor Policy and Communications

Liquor and Cannabis Regulation Branch

www.gov.bc.ca/liquorregulationandlicensing



Please consider the environment before printing this email.

To protect your privacy, Liquor and Cannabis Regulation Branch will not accept emailed applications containing credit card information.

From: \$.22

Sent: August 28, 2020 1:08 PM

To: LCRB Liquor Policy LCRB:EX <LCRBLiquorPolicy@gov.bc.ca> Subject: RE: Restaurant Off Sales - Packaged Cocktails to go

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Thanks for the information, I see the complaint form but I do not wish to put my name down as the sole contact of the complaint, it is very easy to find the establishments that are selling pre-mixed cocktails to go in their own packaging as they are all posting them online and on Instagram.

Theoretically If a restaurant was to go ahead and sell pre-mixed cocktails out of their establishments, what would be the penalty?

s.22

From: LCRB Liquor Policy LCRB:EX Sent: Friday, August 28, 2020 7:41 AM

Subject: RE: Restaurant Off Sales - Packaged Cocktails to go

Hello s.22

Thank you for your email.

Under Policy Directive 20-24, liquor primary and food primary establishments may sell packaged liquor for delivery or take out service with the purchase of a meal until January 31, 2021. The word "packaged" means in the container the manufacturer sold the product in. Licensees are not permitted to sell pre-mixed liquor or cocktails for take out or delivery service.

If you have concerns about a licensed establishment, you can find the instructions for submitting a formal complaint to the Liquor and Cannabis Regulation Branch here:

https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/bcliquor-control-submit-a-complaint.

Please let us know if you have any other questions or concerns.

Kind regards, Liquor Policy and Communications Liquor and Cannabis Regulation Branch www.gov.bc.ca/liquorregulationandlicensing



Please consider the environment before printing this email.

To protect your privacy, Liquor and Cannabis Regulation Branch will not accept emailed applications containing credit card information.

From: s.22

Sent: August 27, 2020 7:00 PM

To: LCRB Liquor Policy LCRB:EX < LCRBLiquorPolicy@gov.bc.ca>

Subject: Restaurant Off Sales - Packaged Cocktails to go

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi There,

I have noticed a large increase in local venues being able to offer cocktails to go. I was wondering what the legislation on that is. As long as they are sold in sealed containers with labels stating what they are?

There has been an abundance of varying products I have seen such as Sealed Baggies to unlabeled bottled glass containers. Just wondering which route I should take for my own establishment. Thanks,

s.22

From: Mior, Peter LCRB:EX

To: Huska, Joshua LCRB:EX; Corley, Tegan LCRB:EX; Gill, Rupi K LCRB:EX; Sharpe, Jessica LCRB:EX

Cc: Davies, Leanne LCRB:EX

Subject: RE: FEEDBACK REQUESTED - LP/FP Sale of Liquor for Off-site Consumption

Date: August 25, 2020 1:45:48 PM

Attachments: AG - DBN - LP FP Off-site Sales and Delivery V06 - for internal consult - PMcomments.docx

Response added. Thanks

From: Huska, Joshua LCRB:EX < Joshua. Huska@gov.bc.ca>

Sent: August 25, 2020 1:03 PM

To: Corley, Tegan LCRB:EX <Tegan.Corley@gov.bc.ca>; Mior, Peter LCRB:EX

<Peter.Mior@gov.bc.ca>; Gill, Rupi K LCRB:EX <Rupi.Gill@gov.bc.ca>; Sharpe, Jessica LCRB:EX

<Jessica.Sharpe@gov.bc.ca>

Cc: Davies, Leanne LCRB:EX <Leanne.Davies@gov.bc.ca>

Subject: RE: FEEDBACK REQUESTED - LP/FP Sale of Liquor for Off-site Consumption

Thanks good note – just 2 small considerations

From: Corley, Tegan LCRB:EX < Tegan.Corley@gov.bc.ca>

Sent: August 24, 2020 3:06 PM

To: Mior, Peter LCRB:EX < Peter.Mior@gov.bc.ca >; Gill, Rupi K LCRB:EX < Rupi.Gill@gov.bc.ca >; Huska, Joshua LCRB:EX < Joshua.Huska@gov.bc.ca >; Sharpe, Jessica LCRB:EX < Jessica.Sharpe@gov.bc.ca >

Cc: Davies, Leanne LCRB:EX < Leanne.Davies@gov.bc.ca >

Subject: FEEDBACK REQUESTED - LP/FP Sale of Liquor for Off-site Consumption

Good afternoon, all

Tom, Leanne and I have put together the attached DN regarding whether LCRB should extend, make permanent or let the current authorization allowing LPs and FPs to sell liquor for off-site consumption with a meal lapse.

We are seeking your **review and feedback by end of day Wednesday.** I apologize for the quick turnaround, but we are on a tight deadline if the decision is made to either extend or make permanent as LCLR amendments will be required. Please note we are also awaiting legal advice from LSB and once your reviews are complete, we will be seeking the Ministry of Health's comments/feedback.

Thank you all.

Tegan Corley | Policy Analyst

Pronouns (she/her/hers)

Liquor and Cannabis Regulation Branch

778-698-9792

Page 57 of 94 to/à Page 62 of 94

Withheld pursuant to/removed as

Cliff: XXXXXX

Date Prepared: August XX, 2020 Date Decision Required: August XX, 2020

APPENDIX A Liquor Distribution Branch Sales Figures

Provincial Hospitality Sales

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Total	163,211,823	\$1,091,864,060	165,215,000	\$1,124,205,254	196,165,170	\$1,336,094,781	1.2%	3.0%	18.7%	18.8%

Note:

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Retail Stores are based on customer types: Wine Agency Stores, Wine Shop, Rural Agency Stores, Tourist Wine Shop, L.R.S., Government Liquor Stores, Grocery, VQA

Data based on fiscal period where periods roughly equate to months: P12 – March P01 – April Po2 – May P03 – June P04 - July

Page 7 of 7

Date: August 6, 2020

Dear s.22

By email to: s.22

The Deputy General Manager, Compliance and Enforcement Division, Liquor and Cannabis Regulation Branch (branch) has been delegated responsibility by the General Manager for the regulation of both the liquor and cannabis industries in British Columbia in matters of compliance and enforcement mandated under the Liquor Control and Licensing Act (LCLA) and the Cannabis Control and Licensing Act (CCLA). As a Regional Manager, I have responsibility to manage complaints that relate to the above named Acts.

I acknowledge your complaint against Stage Small Plates Wine Bar on August 6, 2020. Within your complaint you allege:

- Food Primary - Operate outside of licence purpose, s. 18(1)(a) Reg

Your complaint has been assigned to Liquor and Cannabis Inspector Gord Fearn who may contact you for further information. Regarding your complaint, the LCRB will determine either that:

- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB; or
- A contravention has occurred and the LCRB will take enforcement action against the licensee or permittee in which case they have the right to sign a waiver accepting responsibility or dispute the alleged contravention at a hearing.

The LCRB operates under administrative law and can only release information related to investigations or enforcement action if a waiver is signed or a decision is made at a hearing. This ensures privacy of those involved, administrative fairness to the licensee or permittee, and the integrity of the compliance and enforcement process. Either way, you will be informed when the investigation into your complaint has concluded.

If you have any questions or additional information, you may email the branch at: LCRBComplaints@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

R J (Ron) Cridland A/Regional Manager, Compliance and Enforcement Division Liquor and Cannabis Regulation Branch

Cc: Liquor and Cannabis Inspector Gord Fearn

From: S.22

 To:
 LCHB Complaints LCHB:EX

 Subject:
 Re: Is this a restaurant?

 Date:
 August 6, 2020 12:11:39 PM

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

I know that restaurants can now deliver alcohol with a meal, but this establishment doesn't appear to offer the delivery of meals. Are bars allowed to deliver alcohol now as well?

Sent from my iPad

On Aug 6, 2020, at 12:09 PM, s.22

wrote:

Stage, on Gladstone St in the Fernwood neighbourhood, of Victoria.

Sent from my iPad

On Aug 6, 2020, at 8:23 AM, LCRB Complaints LCRB:EX <LCRBComplaints@gov.bc.ca> wrote:

His.22

Thank you for your complaint. What is the name of this establishment?

Janeane Levasseur

Provincial Office Manager

Compliance and Enforcement Division
Liquor and Cannabis Regulation Branch
101 - 9180 King George Blvd | Surrey, BC | V3V 5V9

Office: 604 398 6135

Fax: 604 586 2640

www.gov.bc.ca/liquorregulationandlicensing

"Due to security concerns, Liquor and Cannabis Regulation Branch will not accept electronically transmitted applications containing credit card information".

CONFIDENTIALITY DISCLAIMER

The information contained in this transmission may contain privileged and confidential information of British Columbia Liquor and Cannabis Regulation Branch. It is intended for review only by the person(s) named above. Dissemination, distribution or duplication of this communication is strictly prohibited by all recipients unless expressly authorized otherwise. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. Thank you

From: S.22

Sent: August 5, 2020 9:11 PM

To: LCRB Complaints LCRB:EX <LCRBComplaints@gov.bc.ca>

Subject: Is this a restaurant?

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello. Seems it's more a bar with a few food items than a restaurant delivering meals with alcohol. Surely this does not meet the liquor branch requirements?

 $\underline{https://static1.squarespace.com/static/5de565c28adffd3a0d461df5/t/5e98f8537dbdc0289211ce6a/1587083347768/Stage+Delivery+List.pdf}$

Sent from my iPad

From: s.22

 To:
 LCRB Complaints LCRB:EX

 Subject:
 Is this a restaurant?

 Date:
 August 5, 2020 9:11:06 PM

 Attachments:
 Stage+Delivery+List.pdf

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello. Seems it's more a bar with a few food items than a restaurant delivering meals with alcohol. Surely this does not meet the liquor branch requirements?

 $\underline{https://static1.squarespace.com/static/5de565c28adffd3a0d461df5/t/5e98f8537dbdc0289211ce6a/1587083347768/Stage+Delivery+List.pdf}$

Sent from my iPad

Page 68 of 94 to/à Page 72 of 94

Withheld pursuant to/removed as

Copyright

From: LCRB Liquor Policy LCRB:EX

s.22 To:

Subject: RE: Policy Directive 20-06 Liquor Primary and Food Primary Licensee Delivery - Serving it Right requirement

Date: June 11, 2020 4:22:00 PM

Hello s.22

Thank you for your email.

You are correct; the sale of mixed cocktails for take out or delivery is not permitted. Licensees must not sell any liquor they have packaged themselves, with the exception of draught beer.

If you have concerns regarding the compliance of other licensees, you can submit a formal complaint to our Compliance and Enforcement department. You can find more information on our website: https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/bc-

liquor-control-submit-a-complaint.

Please let us know if you have any other questions or concerns.

Kind regards,

Liquor Policy and Communications

Liquor and Cannabis Regulation Branch

www.gov.bc.ca/liquorregulationandlicensing



Please consider the environment before printing this email.

To protect your privacy, Liquor and Cannabis Regulation Branch will not accept emailed applications containing credit card information.

From:s.22

Sent: May 31, 2020 12:19 PM

To: LCRB Liquor Policy LCRB:EX <LCRBLiquorPolicy@gov.bc.ca>

Subject: Fwd: Policy Directive 20-06 Liquor Primary and Food Primary Licensee Delivery – Serving it

Right requirement

Hi there.

I'm writing to clarify an "off sales" rule and regulation. I understand that it clearly states that the sale of house mixed cocktails for Take Out purposes is not legal which makes total sense.

I am however seeing the sale of Bottled Cocktails being sold for Take Out at several Vancouver Restaurants. Bottled Aperol Spritz, Gin & Tonic, Negroni. A lot of Italian restaurants have them with their own labels.

Can you please clarify if this is allowed? As a Food Primary, Can we bottle our Cocktails and sell them to-go with purchase of food?

Thank you

s.22 ----- Forwarded message -----From: s.22

Date: Sun, May 31, 2020 at 12:14 PM

Subject: Fwd: Policy Directive 20-06 Liquor Primary and Food Primary Licensee Delivery – Serving it

Right requirement

To:s.22

----- Forwarded message -----

From: LCRB Liquor Policy LCRB:EX < LCRBLiquorPolicy@gov.bc.ca>

Date: Mon, Mar 23, 2020 at 10:48 AM

Subject: Policy Directive 20-06 Liquor Primary and Food Primary Licensee Delivery – Serving it Right requirement

To: LCRB Liquor LCRB:EX < LCRBLiquor@gov.bc.ca>

Hello,

I am writing to announce <u>Policy Directive 20-06</u>. This directive states that the requirement for licensees to ensure all delivery persons delivering liquor with a meal from their establishment have valid Serving It Right certification **will take effect April 20, 2020**. This includes both licensee employees and delivery persons from third-party delivery services.

In response to licensee feedback, this provision will provide a reasonable amount of time for persons who will be providing liquor delivery services to obtain their Serving It Right certification, while also ensuring establishments and workers can begin to realize the benefits offered through this temporary authorization immediately.

Please ensure that you review the new terms and conditions related to the sale of liquor for off-premise consumption in the updated Terms and Conditions Handbook that apply to your licence here: https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-law-policy.

If you have any questions about this policy, please email <u>LCRBliquorpolicy@gov.bc.ca</u>. Sincerely,

Dugald Smith

A/Assistant Deputy Minister and General Manager

Liquor and Cannabis Regulation Branch

Date: June 1, 2020

s.22

Dear s.22

By email to: s.22

The Deputy General Manager, Compliance and Enforcement Division, Liquor and Cannabis Regulation Branch (branch) has been delegated responsibility by the General Manager for the regulation of both the liquor and cannabis industries in British Columbia in matters of compliance and enforcement mandated under the Liquor Control and Licensing Act (LCLA) and the Cannabis Control and Licensing Act (CCLA). As a Regional Manager, I have responsibility to manage complaints that relate to the above named Acts.

I acknowledge your complaint against Lunitas Mexican Eatery on May 31, 2020. Within your complaint you allege that the licensee is selling/serving liquor on a unlicensed patio. While it is difficult for me to ascertain the location of the area wherein you alleged this service to be occurring from the photos provided, I have assigned Liquor and Cannabis Inspector Eric Kerluck to look into this further. The licensed establishment does have two licensed patios and Mr. Kerluck may contact you for further information. Regarding your complaint, the LCRB will determine either that:

- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB; or
- A contravention has occurred and the LCRB will take enforcement action against the licensee or permittee in which case they have the right to sign a waiver accepting responsibility or dispute the alleged contravention at a hearing.

The LCRB operates under administrative law and can only release information related to investigations or enforcement action if a waiver is signed or a decision is made at a hearing. This ensures privacy of those involved, administrative fairness to the licensee or permittee, and the integrity of the compliance and enforcement process. Either way, you will be informed when the investigation into your complaint has concluded.

If you have any questions or additional information, you may email the branch at: LCRBComplaints@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

Peter Mior Regional Manager, Compliance and Enforcement Division Liquor and Cannabis Regulation Branch

Cc: Liquor and Cannabis Inspector Eric Kerluck, Vancouver

From: LCRB Liquor Policy LCRB:EX

s.22 To: Subject:

Date: May 14, 2020 10:56:00 AM

Hello,

Thank you for your email.

You are correct; liquor sold from liquor primary and food primary establishments for off-site consumption must be packaged in bottles or cans. Draught beer that is sold in growlers or bombers is also considered packaged liquor. You can find more details about this requirement in Policy Directive 20-07.

Mixed cocktails cannot be sold for off-site consumption.

I hope this provides more clarity. Please let us know if you have any additional questions.

Kind regards,

Liquor Policy and Communications

Liquor and Cannabis Regulation Branch

www.gov.bc.ca/liquorregulationandlicensing



Please consider the environment before printing this email.

To protect your privacy, Liquor and Cannabis Regulation Branch will not accept emailed applications containing credit card information.

From:s.22

Sent: May 14, 2020 10:48 AM

To: LCRB Liquor Policy LCRB:EX <LCRBLiquorPolicy@gov.bc.ca>

Subject:

Hi there we are a restaurant currently we are allowing guest to purchase beer bottles or cans to go with their food. I noticed some restaurants are selling cocktails and mixed drinks for takeout and just wanted to check if this was ok before we tried. We were under the impression that all drinks had to be sealed to prevent drinking and driving.

Thank you

Date: May 13, 2020

s.22

Dear s.22

By email to: s.22

The Deputy General Manager, Compliance and Enforcement Division, Liquor and Cannabis Regulation Branch (branch) has been delegated responsibility by the General Manager for the regulation of both the liquor and cannabis industries in British Columbia in matters of compliance and enforcement mandated under the Liquor Control and Licensing Act (LCLA) and the Cannabis Control and Licensing Act (CCLA). As a Regional Manager, I have responsibility to manage complaints that relate to the above named Acts.

I acknowledge your complaint against Buono Osteria on May 12, 2020. Within your complaint you allege the licensee is selling pre-mixed packaged cocktails to go, which is contrary to the Temporary Authority granted to licensees for Sales of Liquor for Off-Site Consumption Without Endorsement.

Your complaint has been assigned to Liquor and Cannabis Inspector Charlie Wager who may contact you for further information. Regarding your complaint, the LCRB will determine either that:

- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB; or
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If you have any questions or additional information, you may email the branch at: LCRBComplaints@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

Peter Mior Regional Manager, Compliance and Enforcement Division Liquor and Cannabis Regulation Branch

Cc: Liquor and Cannabis Inspector Charlie Wager, Vancouver



Liquor and Cannabis Regulation Branch 400-645 Tyee Road, Victoria, BC VV9A 6X5 Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8 Phone: 1 866 209-2111 Fax: 250-952-7066 Email: Liquor.Licensing@gov.bc.ca

COMPLAINT RELATED TO A LIQUOR ESTABLISHMENT OR EVENT

Liquor and Cannabis Regulation Branch Form LCRB127

INSTRUCTIONS:

Complete all applicable fields and print this form. Scan the form to your computer and email to LCRBcomplaints@gov.bc.ca.
Your complaint will be forwarded to the compliance and enforcement division and an inspector will be investigating this concern. If the inspector requires more information, you may be contacted at the below email/phone number.

Part 1: Complainant Contact Information	
Complainant's Name: \$.22	
Complainant's \$.22 address:	
Contact Phone: s.22 Email: s.22	Province Postal Code
Date (day/month/year): 08/05/2020	r: s.22
If we have trouble reaching you, may we leave a message at the above phone number?	No
Note: If more details are required to properly investigate this complaint and the branch is unable to contact filing, the complaint may be considered closed and no further action will be taken.	t you within a month of
Part 2: Complaint 1) Please provide the name and address of the establishment or the event you are submitting a complaint a	about.
Name of establishment or event: Baja Cantina Taco Shop & Seafood	
Address: 15519 Marine Drive White Rock	
2) Please provide as much detail about the incident as possible, including any witness information, and activate. Attach another page if necessary. Date of incident (day/month/year): May 5 & 8, 2020 Time of Incident: Ongoing	_
On May 5th the writer was informed by several patrons in an adjacent business that the Baja Ca single-serve cocktails from their takeout window.	antina was providing
Also on May 5th the writer observed several clear plastic drinking containers, rimmed with salt, alcohol, being held by people walking along Marine Drive.	potentially containing
Multiple patrons informed the writer that "everyone is doing it" and specifically named establish Cantina, and Sal y Limon. This caused patrons to leave our establishment and go to the one s their window.	-
One such container was brought into the writers establishment by a patron who was looking for dispose of the empty. When questioned, the patron confirmed they received an alcoholic bever Cantina.	
Today on May 8th, another patron mentioned to the writer that the "place up the street is doing it	it" when they

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (b) and (c) of the Freedom of Information and Protection of Privacy Act and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the Liquor Control and Licensing Act. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

Date: May 13, 2020

By email to: s.22

The Deputy General Manager, Compliance and Enforcement Division, Liquor and Cannabis Regulation Branch (branch) has been delegated responsibility by the General Manager for the regulation of both the liquor and cannabis industries in British Columbia in matters of compliance and enforcement mandated under the Liquor Control and Licensing Act (LCLA) and the Cannabis Control and Licensing Act (CCLA). As a Regional Manager, I have responsibility to manage complaints that relate to the above named Acts.

I acknowledge your complaint against Baja Cantina Taco Shop & Seafood on May 6, 2020. Within your complaint you allege:

- Food Primary - Contravene Term and Condition

Your complaint has been assigned to a Liquor and Cannabis Inspector who may contact you for further information. Regarding your complaint, the LCRB will determine either that:

- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB; or
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If you have any questions or additional information, you may email the branch at: LCRBComplaints@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

McKenzie Castle Regional Manager, Compliance and Enforcement Division Liquor and Cannabis Regulation Branch

Cc: Liquor and Cannabis Inspector Surrey

Date: May 13, 2020

s.22

Dear s.22

By email to: s.22

The Deputy General Manager, Compliance and Enforcement Division, Liquor and Cannabis Regulation Branch (branch) has been delegated responsibility by the General Manager for the regulation of both the liquor and cannabis industries in British Columbia in matters of compliance and enforcement mandated under the Liquor Control and Licensing Act (LCLA) and the Cannabis Control and Licensing Act (CCLA). As a Regional Manager, I have responsibility to manage complaints that relate to the above named Acts.

I acknowledge your complaint against Baja Cantina Taco Shop & Seafood on May 8, 2020. Within your complaint you allege:

- Food Primary - Contravene Term & Conditions

Your complaint has been assigned to a Liquor and Cannabis Inspector who may contact you for further information. Regarding your complaint, the LCRB will determine either that:

- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB; or

- A contravention has occurred and the LCRB will take enforcement action against the licensee or permittee in which case they have the right to sign a waiver accepting responsibility or dispute the alleged contravention at a hearing.

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If you have any questions or additional information, you may email the branch at: LCRBComplaints@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

McKenzie Castle Regional Manager, Compliance and Enforcement Division Liquor and Cannabis Regulation Branch

Cc: Liquor and Cannabis Inspector, Surrey

Date: May 13, 2020

By email to: s.22

The Deputy General Manager, Compliance and Enforcement Division, Liquor and Cannabis Regulation Branch (branch) has been delegated responsibility by the General Manager for the regulation of both the liquor and cannabis industries in British Columbia in matters of compliance and enforcement mandated under the Liquor Control and Licensing Act (LCLA) and the Cannabis Control and Licensing Act (CCLA). As a Regional Manager, I have responsibility to manage complaints that relate to the above named Acts.

I acknowledge your complaint against Baja Cantina Taco Shop & Seafood on May 6, 2020. Within your complaint you allege:

- Food Primary - Contravene Term and Condition

Your complaint has been assigned to a Liquor and Cannabis Inspector who may contact you for further information. Regarding your complaint, the LCRB will determine either that:

- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB; or
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If you have any questions or additional information, you may email the branch at: LCRBComplaints@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

McKenzie Castle Regional Manager, Compliance and Enforcement Division Liquor and Cannabis Regulation Branch

Cc: Liquor and Cannabis Inspector Surrey



Liquor and Cannabis Regulation Branch 400-645 Tyee Road, Victoria, BC VV9A 6X5
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8
Phone: 1 866 209-2111 Fax: 250-952-7066 Email: Liquor.Licensing@gov.bc.ca

COMPLAINT RELATED TO A LIQUOR ESTABLISHMENT OR EVENT

Liquor and Cannabis Regulation Branch Form LCRB127

INSTRUCTIONS:

Complete all applicable fields and print this form. Scan the form to your computer and email to LCRBcomplaints@gov.bc.ca Your complaint will be forwarded to the compliance and enforcement division and an inspector will be investigating this concern. If the inspector requires more information, you may be contacted at the below email/phone number.

Part 1: Complainant Contact	Information		
Complainant's Name: \$.22			
Complainant's address:			
	Street	City	
Contact Phone: s.22	Emai	il: s.22	
Date (day/month/year): 11/10/19	lf you	are a licensee, please provide you	The state of the s
If we have trouble reaching you, r	may we leave a messa	age at the above phone number?	⊠ Yes □ No
Note: If more details are required filing, the complaint may be consi	to properly investigate	te this complaint and the branch is u	unable to contact you within a month of
Part 2: Complaint 1) Please provide the name and a	address of the establis	shment or the event you are submitt	ting a complaint about.
Name of establishment or event:	Buono Osteria		
Address: 442 Marine Drive		Gibsons	
Street	t	City	
Please provide as much detail a taken. Attach another page if necessary	about the incident as passary.	possible, including any witness info	rmation, and action you may have already
Date of incident (day/month/year		Time of Incident: 12	☐ a.m. ⊠ p.m.
The state of the second second to rend	ort a liquor license viola	ation at one of the restaurants in G	ibsons, BC.
Buono Osteria has been selling p This is in violation of "Sales of Liq	pre-mixed "to-go" cockt	tails, mixed & packaged by the lice imption Without Endorsement".	nsee, for their patrons to consume off-site "to-go" pre-mixed drinks as well as scree
shots of their online menu showin Their online ordering system is av	vailable on select days	S.	
Please investigate this violation in owner.	nmediately. I would like	e to remain anonymous for privacy	reasons and to avoid retaliation by the
Thank you.			
s.22			

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (b) and (c) of the Freedom of Information and Protection of Privacy Act and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the Liquor Control and Licensing Act. Should you have any questions about the disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

From: s.22

To: LCRB Complaints LCRB:EX
Subject: Liquor License Violation
Date: May 1, 2020 10:40:52 AM

Attachments: IMG 6094.PNG

IMG_6093.PNG

Complaint Related to Liquor Establishment.pdf

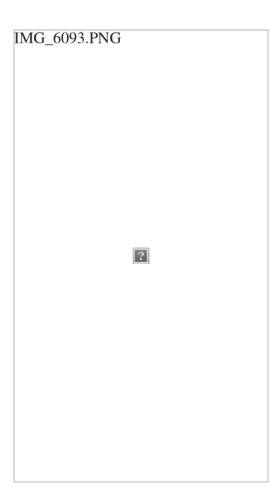
Hello, I am contacting you to report a liquor license violation at one of the restaurants in Gibsons, BC. See my completed complaint form attached (form LCRB127)

Lunitas Mexican Eatery has begun selling pre-mixed single serving "to-go" cocktails, mixed & packaged by the licensee, for their patrons to consume off-site. This is in violation of "Sales of Liquor for Off-site Consumption Without Endorsement".

See photos attached to this email of their social media advertisement of these "to-go" single serving drinks. They posted these photos on April 30th, 2020 at approximately 6pm.

Please investigate this violation immediately. I would like to remain anonymous for privacy reasons and to avoid retaliation by the owner.







Liquor and Cannabis Regulation Branch 400-845 Tyee Road, Victoria, BC VV9A 6X5 Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8 Phone: 1 886 209-2111 Fax: 250-952-7086 Email: Liquor,Licensing@gov.bc.ca

COMPLAINT RELATED TO A LIQUOR ESTABLISHMENT OR EVENT

Liquor and Cannabis Regulation Branch Form LCRB127

INSTRUCTIONS:

Complete all applicable fields and print this form. Scan the form to your computer and email to LCRBcomplaints@gov.bc.ca.
Your complaint will be forwarded to the compliance and enforcement division and an inspector will be investigating this concern. If the inspector requires more information, you may be contacted at the below email/phone number.

V. A. O	
Part 1: Complainant Contact Information	
Complainant's Name: \$.22	
Complainant's S.22	
address:	
Street	City Province Postal Code
Contact Phones. 22	Email:S.22
Date (day/month/year): 1/5/2020	If you are a licensee, please provide your licence number:
f we have trouble reaching you, may we leave	a message at the above phone number? X Yes No
Note: If more details are required to properly in iling, the complaint may be considered closed	nvestigate this complaint and the branch is unable to contact you within a month of and no further action will be taken.
art 2: Complaint	a stabilish most on the event you are submitting a complaint about
1) Please provide the name and address of the	e establishment or the event you are submitting a complaint about.
Name of establishment or event: Lunitas Mexi	can Eatery
Address: 645 School Road	Gibsons
aken. Attach another page if necessary. Date of incident (day/month/year): 30/04/202	ident as possible, including any witness information, and action you may have alread Time of Incident: 6:00 a.m. p.m.
Lunitas is selling pre-mixed single serving Sales of Liquor for Off-Site Consumption these pre-mixed cocktails that they are m	quor license violation made by Lunitas Mexican Eatery in Gibsons, BC. g cocktails "to-go", mixed & packaged by the licensee. This is in violation of "Without Endorsement". I have photos of their social media advertisement of taking on site for patrons to consume off-site. See photos attached in email. It we Lunitas know that I am reporting them. Please investigate this violation as
soon as possible. Thank you	

The information requested on this form is collected by the Liquor and Cannebis Regulation Branch under Section 26 (b) and (c) of the Freedom of Information and Protection of Privacy Act and will be used for the purpose of liquor iconnsing and compliance and enforcement matters in accordance with the Liquor Control and Licensing Act. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

Copyright

From: s.22

To: LCRB Complaints LCRB:EX
Subject: Take out cocktails
Date: May 6, 2020 12:06:49 AM

Hello I called to complain and was told to email.

Baja Cantina in white rock is serving margaritas from their takeout window.

15519 marine drive white rock.

While other businesses are following the temporary directions for sales of packaged alcohol, this restaurant is letting people walk up and down the street with margaritas in a plastic cup. Unacceptable.

Do something about it and for God sakes make it easier to report than having to send an email. I called and waited on hold after spending ten minutes listing to your convoluted menu system just to reach a human who told me to send an email. Also unacceptable!!!!

File #: 306903

Date: May 4, 2020

s.22

Dears.22

By email to:s.22

The Deputy General Manager, Compliance and Enforcement Division, Liquor and Cannabis Regulation Branch (branch) has been delegated responsibility by the General Manager for the regulation of both the liquor and cannabis industries in British Columbia in matters of compliance and enforcement mandated under the Liquor Control and Licensing Act (LCLA) and the Cannabis Control and Licensing Act (CCLA). As a Regional Manager, I have responsibility to manage complaints that relate to the above named Acts.

I acknowledge your complaint against Lunitas Mexican Eatery on April 30, 2020. Within your complaint you allege the establishment is selling pre-mixed packaged liquor drinks.

Your complaint has been assigned to Liquor and Cannabis Inspector Charlie Wager who may contact you for further information. Regarding your complaint, the LCRB will determine either that:

- There is not enough evidence to prove a contravention
- A contravention has occurred, but it is appropriate to deal with through compliance meetings with the licensee or permittee, and recording details in the establishment's file at the LCRB; or

- A contravention has occurred and the LCRB will take enforcement action against the licensee or permittee in which case they have the right to sign a waiver accepting responsibility or dispute the alleged contravention at a hearing.

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If you have any questions or additional information, you may email the branch at: LCRBComplaints@gov.bc.ca.

Thank you for taking the time to submit your concerns.

Sincerely,

Peter Mior Regional Manager, Compliance and Enforcement Division Liquor and Cannabis Regulation Branch

Cc: Liquor and Cannabis Inspector Charlie Wager, Vancouver



Liquor and Cannabis Regulation Branch 400-645 Tyee Road, Victoria, BC VV9A 6X5 Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8 Phone: 1 866 209-2111 Fax: 250-952-7066 Email: Liquor.Licensing@gov.bc.ca

COMPLAINT RELATED TO A LIQUOR ESTABLISHMENT OR EVENT

Liquor and Cannabis Regulation Branch Form LCRB127

INSTRUCTIONS:

Complete all applicable fields and print this form. Scan the form to your computer and email to LCRBcomplaints@gov.bc.ca. Complete all application forwarded to the compliance and enforcement division and an inspector will be investigating this concern. If the inspector requires more information, you may be contacted at the below email/phone number.

- 00				7-11-11
Complainant's Name: \$.22				
Complainant'ss.22 address:				
Street		City	Province	Postal Code
Contact Phone: S.22	Email: s.22			
Date (day/month/year): 31/05/2020	If you are a license	e, please provide your	licence number:	
If we have trouble reaching you, may we leave	a message at the abo	ove phone number?	⊠ Yes □ No	
Note: If more details are required to properly in filing, the complaint may be considered closed	nvestigate this compla and no further action	int and the branch is unwill be taken.	nable to contact you w	rithin a month of
Part 2: Complaint				
1) Please provide the name and address of the	e establishment or the	event you are submitti	ng a complaint about.	
Name of establishment or event: Lunitas Mexi	can Eatery			
Address: 645 School Road	Gibsons			
at Disease asserted as much datail about the inc	ident on accellula table			
Please provide as much detail about the includen. Attach another page if necessary. Date of incident (day/month/year): 29/05/202	0 Time	of Incident: 8:00	□ a.m. 🖂	p.m.
taken. Attach another page if necessary.	o Time er liquor license viol er level of the prope not licensed. I have . Confidentiality/priv	ation from Lunitas Merty and is serving alcattached 2 photos of	exican Eatery. The cohol to the patrons people seated on t	p.m. establishment seated there his lower patio

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (b) and (c) of the Freedom of Information and Protection of Privacy Act and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the Liquor Control and Licensing Act. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT. Victoria. BC. V8W 9J8 or by phone toll free at 1-866-209-2111. RE: wine and beer to go? March 27, 2020 1:40:00 PM image001.jpg

Hello**s**. 22 Thank you for your email.

You may be aware that the Liquor and Cannabis Regulation Branch announced today <u>Policy Directive 20-07</u> which clarifies how draught beer can be sold to customers for take away and delivery service. Draught beer must be "packaged" and sold in a new growler or bomber that has been provided by the licensee.

?

Please let us know if you have any other questions or concerns.

Kind regards,

Liquor Policy and Communications

Liquor and Cannabis Regulation Branch

www.gov.bc.ca/liquorregulationandlicensing

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From: 2 ?

Sent: March 26, 2020 11:15 PM

To: LCRB Liquor Policy LCRB:EX <LCRBLiquorPolicy@gov.bc.ca>
Subject: Re: wine and beer to go?

Just saw this from a competitor who is putting draft beer in mason jars for takeout and delivery. Are we allowed to do that?

s.22

On Wed, Mar 25, 2020 at 10:29 AM s 22

wrote

Thank you for the clarification.

Stav safe.

kind regards,

c 22

On Wed, Mar 25, 2020 at 10:27 AM LCRB Liquor Policy LCRB:EX < LCRBLiquorPolicy@gov.bc.ca > wrote:

Hello **27**To clarify, all vessels must be new and provided by the licensee. You may not fill containers brought in by customers.

I hope this information is helpful.

Kind regards.

Liquor Policy and Communications

Liquor and Cannabis Regulation Branch

www.gov.bc.ca/liquorregulationandlicensing

A Please consider the environment before printing this email. To protect your privacy, Liquor and Cannabis Regulation Branch will not accept emailed applications containing credit card information.

From's . 22 Sent: March 25, 2020 9:25 AM

To: LCRB Liquor Policy LCRB:EX < LCRBLiquorPolicy@gov.bc.ca>

Subject: Re: wine and beer to go?

Thanks for the clarification. Just a follow-up question please. If breweries are allowed to fill up customers' growlers or bombers to go does that mean I can also sell my draught beer and keg wine to customers if they bring their own empty bottles?

Sorry for hassle, I know you have a lot on your plate, but I have lots of keg wine just sitting there and at the moment I can't sell any of it.

s 22

On Wed, Mar 25, 2020 at 9:13 AM LCRB Liquor Policy LCRB:EX < LCRBLiquorPolicy@gov.bc.ca> wrote:

Hello **c** 22 Thank you for your email.

Liquor sold from liquor primary and food primary establishments for off-site consumption must be packaged in cans, bottles, etc. Draught beer that is sold in growlers or bombers is also considered packaged liquor.

Sealed containers or take-away cups cannot be sold for delivery or take-away, as it would not be packaged liquor

I hope this provides more clarity. Please let us know if you have any additional guestions.

Kind regards,

Liquor Policy and Communications

Liquor and Cannabis Regulation Branch www.gov.bc.ca/liquorregulationandlicensing

To protect your privacy, Liquor and Cannabis Regulation Branch will not accept emailed applications containing credit card information.

Sent: March 22, 2020 11:08 AM

To: LCRB Liquor Policy LCRB:EX < LCRBLiquorPolicy@gov.bc.ca>

Subject: wine and beer to go?

Hello,

Just following up on thew new policy of allowing "packaged" beers to go for patrons ordering food from our restaurant. Quick question please: We carry wine in kegs. Would we be allowed to sell 6 ounce glass pours of wine if they are in paper cups with lids? Or even if they bring their own sealed cups like commuter mugs?

Or perhaps even larger size pours such as 750ml in growler size bottles?

I know this seems odd, but these are odd times we live in.

best,

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