



STATE OF NEW JERSEY
 OFFICE OF THE ATTORNEY GENERAL
 DIVISION OF ALCOHOLIC BEVERAGE CONTROL
 140 EAST FRONT STREET
 PO Box 087
 TRENTON, NEW JERSEY 08625-0087
 (609) 984-2830 - MAIN NUMBER
 (866) 713-8392 - INVESTIGATIONS BUREAU

Self-Inspection Check List for Class C Plenary Retail Licensees

1.	IS A COPY OF THE ABC HANDBOOK FOR RETAIL LICENSEES KEPT ON THE LICENSED PREMISES AND AVAILABLE TO ALL EMPLOYEES? [NOTE: THE CURRENT VERSION OF THE HANDBOOK CAN BE DOWNLOADED FROM THE NJABC WEB SITE AT: http://www.state.nj.us/oag/abc/]	YES	NO
2.	IS A COPY OF THE LICENSE APPLICATION ON THE PREMISES (LAST FILED LONG FORM AND ALL SHORT FORMS TO CURRENT YEAR) AND KEPT IN A PLACE WHICH IS AVAILABLE FOR INSPECTION AT ALL TIMES ?	YES	NO
3.	IS THE LICENSE APPLICATION COMPLETE? HAVE ALL QUESTIONS BEEN FULLY ANSWERED? [IF ANSWER IS NO, CONTACT THE ABC CLERK IN YOUR MUNICIPALITY IN ORDER TO FILE THE APPROPRIATE AMENDED PAGES.]	YES	NO
4.	IS THE NJABC FORM E-141-A (LIST OF EMPLOYEES) ON THE PREMISES, AND KEPT IN A PLACE WHERE IT IS AVAILABLE FOR INSPECTION AT ALL TIMES? [CURRENT VERSION OF THE E-141-A CAN BE DOWNLOADED FROM THE NJABC WEB SITE AT: HTTP://WWW.STATE.NJ.US/OAG/ABC/DOWNLOADS/E141A.PDF]	YES	NO
5.	ARE ALL EMPLOYEES LISTED ON THE E-141-A? [NOTE: SEE THE HANDBOOK FOR DEFINITION OF "EMPLOYEE."]	YES	NO
6.	ARE ALL EMPLOYEES QUALIFIED AS TO AGE? [NOTE: SEE THE HANDBOOK FOR DEFINITION OF "AGE LIMITS." IF EMPLOYING PERSONS UNDER AGE OF EIGHTEEN, HAVE YOU OBTAINED AN "EMPLOYMENT PERMIT" FROM THE NJABC LICENSING BUREAU?]	YES	NO
7.	ARE EMPLOYEES QUALIFIED BECAUSE OF NO CRIMINAL RECORD? [NOTE: SEE THE HANDBOOK FOR DEFINITION OF "MORAL TURPITUDE," "ELIGIBILITY, DETERMINATION OF" AND, "REHABILITATION EMPLOYMENT PERMIT/DISQUALIFICATION REMOVAL."]	YES	NO
8.	IF YOU ARE EMPLOYING A PERSON WITH A CRIMINAL RECORD, HAVE YOU RECEIVED EITHER A TEMPORARY WORK LETTER, REHABILITATION EMPLOYMENT PERMIT OR, DISQUALIFICATION REMOVAL? [IF ANSWER IS YES, PLACE THE PERMIT NUMBER ON THE E-141-A, IN THE COLUMN MARKED "ABC EMPLOYMENT PERMIT No. (IF HELD)." IF ANSWER IS NO, THE APPLICATION PACKAGE FOR A REHABILITATION EMPLOYMENT PERMIT/DISQUALIFICATION REMOVAL CAN BE DOWNLOADED FROM THE NJABC WEB SITE AT: HTTP://WWW.STATE.NJ.US/OAG/ABC/DOWNLOADS/REHAB-DISQUAL_APPLICATION_PACKET_9-23-05-FINAL.PDF]	YES	NO
9.	DOES ANY VEHICLE MAKING DELIVERIES OR TRANSPORTING ALCOHOLIC BEVERAGES HAVE A TRANSIT INSIGNIA PROPERLY AFFIXED TO THE VEHICLE? [NOTE: SEE HANDBOOK FOR DEFINITION OF "TRANSIT INSIGNIA PERMIT." TO OBTAIN A PERMIT, CONTACT THE NJABC LICENSING BUREAU.]	YES	NO
10.	ARE ALL OPEN BOTTLES OR ALCOHOLIC BEVERAGE PROPERLY FITTED WITH SCREENED OR BALL BEARING POURERS OR AIR-TIGHT SEALERS?	YES	NO
11.	ARE ALL OPEN BOTTLES OF ALCOHOLIC BEVERAGES CHECKED ON A REGULAR BASIS FOR CONTAMINATION AND/OR LOW PROOF?	YES	NO
12.	IS THE CURRENT LICENSE CERTIFICATE PROPERLY ENDORSED AND DISPLAYED IN SUCH A MANNER AS TO BE EASILY NOTICED BY PATRONS VISITING THE LICENSED PREMISE? [NOTE: SEE THE HANDBOOK FOR DEFINITION OF "LICENSE CERTIFICATE."]	YES	NO
13.	IS THE SALE, SERVICE AND/OR STORAGE OF ALL ALCOHOLIC BEVERAGES CONFINED TO THE LICENSED PREMISE? [NOTE: SEE THE HANDBOOK FOR DEFINITION OF "LICENSED PREMISE."]	YES	NO

14.	ARE ALL CONSUMPTION LICENSEES WITHOUT "BROAD PACKAGE PRIVILEGE ENDORSEMENT" DISPLAYING PACKAGE GOODS FOR SALE FROM SHELVES AFFIXED TO THE PERIMETER WALLS OF THE PRINCIPAL BARROOM OR FROM AN AREA BEHIND THE PRINCIPAL BAR OR, IN COMPLIANCE WITH ANY APPROVED FLOOR PLANS? [NOTE: SEE THE HANDBOOK FOR A DISCUSSION OF THE VARIOUS TYPES OF LICENSES AND RESTRICTIONS ON EACH CONTAINED IN "LICENSES-RETAIL," AS WELL AS "PACKAGE GOODS SALES BY RETAIL CONSUMPTION LICENSEES."]	YES		NO
15.	ARE ALL BEER TAPS, PRE-MIXED DRINKS, AND AUTOMATIC OR ELECTRONIC ALCOHOLIC BEVERAGE DISPENSERS PROPERLY MARKED SO AS TO CLEARLY INDICATE THE BRAND AND TYPE OF ALCOHOLIC BEVERAGE BEING DISPENSED? [NOTE: SEE THE HANDBOOK FOR DEFINITION OF "AUTOMATIC DISPENSERS," "PRE-MIXED DRINKS" AND, "TAP MARKERS."]	YES		NO
16.	IF YOU OPERATE A CONSUMPTION LICENSE, IS IT TRUE THAT THERE IS NO OTHER KIND OF BUSINESS, OTHER THEN THE SALE OF BEVERAGES OR PREPARED FOOD, BEING CONDUCTED ON THE LICENSED PREMISE? [NOTE: SEE THE HANDBOOK FOR DEFINITION OF "MERCHANDISE - SALE BY RETAIL LICENSEES."]	YES		NO
17.	IS IT TRUE THAT YOU ARE NOT CURRENTLY ENGAGED IN ANY PROMOTION OR PRACTICE WHICH INCLUDES FREE ALCOHOLIC BEVERAGES OR WHICH IS PROHIBITED BY NJABC RULES OR REGULATIONS? [NOTE: SEE THE HANDBOOK FOR DEFINITIONS OF "CONTEST PRIZES," "CONTESTS," "COMPLIMENTARY DRINKS," "COUPONS," "DISPLAYS," "DONATIONS OF ALCOHOLIC BEVERAGES," "FREE FOOD," "GAMBLING," "GIFT CERTIFICATES," "HAPPY HOURS," "OPEN BARS," AND, "PROMOTIONS."]	YES		NO
18.	ARE SALES OF DISTILLED SPIRITS, WINE AND BEER MADE ONLY DURING THEIR LEGAL HOURS OF SALE? [NOTE: SEE HANDBOOK FOR DEFINITION OF "CLOSING TIME."]	YES		NO
19.	HAVE ALL EMPLOYEES BEEN INSTRUCTED REGARDING PROCEDURES FOR PROOFING YOUTHFUL APPEARING PATRONS AND VALID TYPES OF IDENTIFICATION? [NOTE: SEE HANDBOOK FOR DEFINITION OF "AGE LIMITS." THE "REPRESENTATION AND STATEMENT OF AGE FOR PURCHASE OF ALCOHOLIC BEVERAGES" CAN BE DOWNLOADED FROM THE NJABC WEB SITE AT: HTTP://WWW.STATE.NJ.US/OAG/ABC/DOWNLOADS/AGE_WAIVER.PDF]	YES		NO
20.	ARE ACCURATE AND TRUE BOOKS OF ACCOUNTS MAINTAINED ON THE PREMISE? [NOTE: SEE HANDBOOK FOR DEFINITION OF "BOOKS OF ACCOUNT." IF YOU MAINTAIN YOUR BUSINESS RECORDS OFF YOUR PREMISE, YOU MUST OBTAIN A "PERMIT FOR OFF-PREMISE STORAGE OF BUSINESS RECORDS" FROM THE NJABC WEB SITE AT: HTTP://WWW.STATE.NJ.US/OAG/ABC/DOWNLOADS/OFF_PREMISE_STORAGE_RECORDS_PERMIT_VER2005.PDF]	YES		NO
21.	HAS THE NAME AND ADDRESS OF EVERY PERSON HAVING ANY DIRECT OR INDIRECT INTEREST IN THE LICENSED BUSINESS, OR DERIVING ANY PROFITS FROM THE BUSINESS, BEEN DISCLOSED ON PAGE 7 AND PAGE 10A OF THE LICENSE APPLICATION? [IF ANSWER IS NO, CONTACT THE ABC CLERK IN YOUR MUNICIPALITY IN ORDER TO FILE THE APPROPRIATE AMENDED PAGES. FAILURE TO DISCLOSE ALL PERSONS WITH ANY DIRECT OR INDIRECT INTEREST IN THE LICENSED PREMISE IS A SERIOUS NJABC VIOLATION AND MAY RESULT IN A LENGTHY SUSPENSION AND/OR REVOCATION OF THE LICENSE.]	YES		NO
22.	ARE AMPLE QUANTITIES OF ADVERTISED SALE ITEMS STOCKED TO REASONABLY MEET THE DEMANDS BY PATRONS? [NOTE: SEE HANDBOOK FOR DEFINITION OF "ADVERTISING."]	YES		NO
23.	ARE ALL ALCOHOLIC BEVERAGE ITEMS BEING SOLD AT COST OR ABOVE? [NOTE: SEE HANDBOOK FOR DEFINITION OF "COST."]	YES		NO
24.	ARE ALL PURCHASES OF ALCOHOLIC BEVERAGES MADE FROM AUTHORIZED SOURCES (A NJ WHOLESALE OR DISTRIBUTOR) AND ACCOMPANIED BY ACCURATE INVOICES?	YES		NO
25.	ARE ALL SALES AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES CONFINED TO LICENSED AREAS? [NOTE: SEE HANDBOOK FOR DEFINITION OF "CONSUMPTION OFF LICENSED PREMISES."]	YES		NO
26.	ARE NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES "FETAL ALCOHOL SYNDROME" WARNING POSTERS DISPLAYED IN THE PRIMARY BARROOM AREA AND/ OR THE FEMALE RESTROOM? [NOTE: SEE HANDBOOK FOR DEFINITION OF "FETAL ALCOHOL WARNING."]	YES		NO



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REVISED NOTICE TO THE INDUSTRY

(rev. 1/8/2019)

Please be advised that a recent amendment to N.J.S.A. 33:1-26 permits certain individuals convicted of crimes of moral turpitude to be employed on a licensed premises without the need to obtain the Director's approval or obtain a rehabilitation employment permit.

Under this new amendment, any individual employed on a licensed premises must apply for a rehabilitation employment permit pursuant to N.J.S.A. 33:1-31.2 and implementing regulations at N.J.A.C. 13:2-14.1 et seq., no matter the duties the individual would perform for the licensee, if that individual was:

1. convicted of a sex offense as enumerated in subsection b. of N.J.S.2C:7-2, or
2. convicted of a crime involving moral turpitude while employed on a licensed premises.

Additionally, individuals who are convicted of crimes of moral turpitude who will have duties they would perform for the licensee that involve:

1. serving, selling or soliciting the sale of any alcoholic beverage;
2. participating in the mixing, processing or preparation of alcoholic beverages;
3. providing private security or admission-monitoring services for the premises; or
4. providing or participating in any management or professional services,

must apply for a rehabilitation employment permit in order to work on the licensed premises.

Employees who fall outside the categories listed in 1 through 4 above would not need a rehabilitation employment permit or disqualification removal to work on the licensed premises. For example, employees hired to perform duties in the kitchen area of a licensed premises may be exempt from the rehabilitation requirement provided that the crime of moral turpitude did not occur on the licensed premises. However, those employees that have been convicted, but are exempt from needing a rehabilitation employment permit or disqualification removal, must still answer "yes" to the question regarding criminal convictions on the Employee List E-141.



As a result of this amendment, the Employee List E-141 form has been amended to reflect this change. (See enclosed Amended Employee List E-141). As a licensee, you are required under N.J.A.C. 13:2-23.13(a)3 to keep the prescribed E-141 form on the licensed premises and updated in all aspects. Therefore, in light of this change, all licensees must use the new prescribed form. The new E-141 form is similar to the prior form. However, should an employee answer "yes" to having been convicted of a crime, the next box on the form must be completed as to whether a rehabilitation employment permit or disqualification removal is needed for that employee. If that employee does not fall into the above categories, no rehabilitation employment permit or disqualification removal is required.

It is important that a licensee, in light of the amendment, question all employees when updating to the new form. It is also imperative to understand that when and if an employee changes employment positions within the licensee's organization, the E-141 form must be updated and reviewed to make sure the aspects of N.J.S.A. 33:1-26 is complied with. For example, an employee that has a conviction for a crime of moral turpitude that is working as a cook on a licensed premises does not need a rehabilitation employment permit. However, should that cook be promoted to the position of being a server, he/she would then need to obtain a rehabilitation employment permit to be employed as a server on the licensed premises as he/she would be serving alcoholic beverages.

All licensees are required, within 30 days of the date of this letter, to revise their E-141 forms to this new prescribed form and ensure that it is complete and up to date. Failure to comply requirements under N.J.S.A. 33:1-26 and N.J.A.C. 13:2-23.13(a)3 will result in administrative charges against the license and possible suspension. If further information is needed, please contact the Enforcement Bureau at 609-984-2830.



State of New Jersey
Office of the Attorney General
Division of Alcoholic Beverage Control

TASTINGS

Guidelines for
Alcoholic Beverage
Tastings
held at
NJABC
Class C Plenary
Retail
Consumption
Licensed
Establishments

**A PLENARY OR SEASONAL
RETAIL CONSUMPTION LICENSEE
OR
AN ANNUAL STATE PERMITTEE**

“Tasting event” means a scheduled event hosted by a licensee or permittee, at which samples may be provided, that may be open to the general public or limited by invitation. Tasting events are subject to the following requirements:

1. The licensee must hold a valid, active Plenary Retail Consumption License or a valid, active Annual State Permit.
2. Tasting events shall be scheduled in advance no later than 12:00 noon of the business day prior to the tasting event and may be limited by invitation or open to the general public. A tasting event shall consist of only one category of samples at a time and there must be a two-hour interval between tasting events on any licensed premises. The categories for tasting events are: malt alcoholic beverages, wine, or distilled spirits.
3. All alcoholic beverages consumed at the tasting event must be obtained from the inventory of the host licensee or annual state permittee.
4. In any one calendar day, servings of alcoholic beverages per person are limited to:
 - i. No more than four three-ounce samples of a particular malt alcoholic beverage; or
 - ii. No more than four one-and one-half ounce samples of wine; or
 - iii. No more than three one-half ounce samples of distilled spirits.
5. Tasting events shall not be offered to any person under the legal age for consuming alcoholic beverages or to intoxicated persons.
6. Tasting events are not to be offered when the sale of alcoholic beverages is otherwise prohibited.
7. Tasting events may be advertised in any type of media, including but not limited to, print, radio, television, Internet and signs, and these advertisements may include the date, time and location of the event, such as the name and address of the licensed premises and other information regarding the event.
8. A supplier, manufacturer, importer, wholesaler, solicitor or authorized representative licensed or permitted by the Division of Alcoholic Beverage Control may provide the licensee upon whose premises the tasting event will be held with permissible advertising and promotional materials for use at the event and permissible consumer novelties for distribution to consumers attending the event.

9. Any licensed or permitted supplier, manufacturer, importer, wholesaler, solicitor or an authorized representative licensed or permitted by the Division of Alcoholic Beverage Control may participate in, assist with, and promote consumer wine, beer, and spirits tasting events up to two times per month at a licensed premises, except that samples shall not be served by any employee of a wholesale licensee. They may not take orders or solicit sales to consumers. For purposes of this section: 1) a wholesale licensee is one who sells to retailers and files a CPL (Current Price List) with the Division; and 2) an authorized representative includes those individuals covered by a Special Marketing Agent Permit.
10. To participate in any tasting event, a supplier, manufacturer, importer, wholesaler, solicitor or an authorized representative licensed or permitted by the Division of Alcoholic Beverage Control, must have an annual special permit to participate in consumer tasting events. The fee for the annual special permit shall be \$200.00 and an additional \$200.00 permit for each solicitor or duly authorized representative.
11. Consumption licensees utilizing a sampling kiosk or automatic dispenser for sampling must notify the Division prior to the machine's first use.



QUESTIONS?

If you have specific questions regarding a Tasting Event held at a Retail Consumption License or Annual State Permittee, you can contact the NJABC and speak with -

NJ Division of Alcoholic Beverage Control
Office of the Counsel to the Director
Deputy Attorney General Jillian Mahoney 609-376-9639 or
Deputy Attorney General Amy Beth Cohn 609-376-9672



***REGULATORY
LICENSING***



ENFORCEMENT



INVESTIGATIONS

James B. Graziano, Director