

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Committee Substitute for Senate Bill No. 404, Page 1, Section A, Line 1, by
2 inserting after all of said line the following:

3
4 "311.275. 1. For purposes of tax revenue control, beginning January 1, 1980, no holder of a
5 license to solicit orders for the sale of intoxicating liquor, as defined in this chapter, within this state,
6 other than a wholesale-solicitor, shall solicit, accept, or fill any order for any intoxicating liquor
7 from a holder of a wholesaler's license issued under this chapter, unless the holder of such solicitor's
8 license has registered with the division of alcohol and tobacco control as the primary American
9 source of supply for the brand of intoxicating liquor sold or sought to be sold. The supervisor of
10 alcohol and tobacco control shall provide forms for annual registration as the primary American
11 source of supply, and shall prescribe the procedures for such registration.

12 2. Beginning January 1, 1980, no holder of a wholesaler's license issued under this chapter
13 shall order, purchase or receive any intoxicating liquor from any solicitor, other than a wholesale-
14 solicitor, unless the solicitor has registered with the division of alcohol and tobacco control as the
15 primary American source of supply for the brand of intoxicating liquor ordered, purchased or
16 received.

17 3. The term "primary American source of supply" as used herein shall mean the distiller,
18 producer, the owner of the commodity at the time it became a marketable product, the bottler, or the
19 exclusive agent of any such distiller, producer, bottler or owner, the basic requirement being that the
20 nonresident seller be the first source closest to the manufacturer in the channel of commerce from
21 whom the product can be secured by American wholesalers.

22 4. Any vintage wine solicitor licensed under section 311.180 may register as the primary
23 American source of supply for vintage wine with the division of alcohol and tobacco control,
24 provided that another solicitor is not registered as the primary American source of supply for the
25 vintage wine and the vintage wine has been approved for sale by the federal Alcohol and Tobacco
26 Tax and Trade Bureau.

27 5. The supervisor of alcohol and tobacco control shall approve or deny any application for
28 primary American source of supply for any intoxicating liquor product within five working days
29 following the receipt of a properly completed application. Any such application for an intoxicating
30 liquor product received by the supervisor of alcohol and tobacco control that is not approved or
31 denied within five working days shall be considered conditionally approved and such intoxicating
32 liquor product may be solicited, sold, shipped, ordered, purchased, and received in this state.

33 311.510. 1. It shall be the duty of the supervisor of liquor control, or his or her designee, to
34 cause to be inspected all beer, as defined in this chapter, or other intoxicating malt liquors, brewed,
35 manufactured or sold in this state, and he or she shall determine whether such beer or other
36 intoxicating malt liquor has been made from pure hops or the pure extract of hops, or of pure barley

Action Taken _____ Date _____

1 malt or other wholesome grains or cereals, or wholesome yeast, and pure water, and whether the
2 package containing such beer or intoxicating malt liquor has been correctly labeled to show that the
3 same has been made from wholesome ingredients.

4 2. Notwithstanding the provisions of subsection 1 of this section, the supervisor of liquor
5 control shall not require product samples and shall not require the testing of product samples to
6 determine alcohol content prior to granting approval for the sale of any such beer or other
7 intoxicating malt liquor product in the state of Missouri if the supervisor of liquor control, or his or
8 her designee, is provided with a copy of a certificate of label approval issued by the Federal Bureau
9 of Alcohol, Tobacco and Firearms which verifies the alcohol content of the product.

10 311.540. 1. Every person, persons or corporation who shall manufacture or distill spirituous
11 liquors, including brandy, rum, whiskey, and gin, and other spirituous liquors, within this state, and
12 wholesale or retail dealers or any other person who shall import such intoxicating liquors into this
13 state, for the purpose of sale or offering the same for sale in this state, shall, before offering the
14 same for sale, cause the same to be inspected and gauged by the supervisor of liquor control, or his
15 or her designee. It shall be the duty of the supervisor of liquor control, or his or her designee, to
16 inspect and gauge such character of intoxicating liquor referred to in this section and to ascertain
17 whether the same is correctly labeled.

18 2. Notwithstanding the provisions of subsection 1 of this section, the supervisor of liquor
19 control shall not require product samples and shall not require the testing of product samples to
20 determine alcohol content prior to granting approval for the sale of any such spirituous liquors
21 product in the state if the supervisor of liquor control, or his or her designee, is provided with a
22 copy of a certificate of label approval issued by the Federal Bureau of Alcohol, Tobacco and
23 Firearms which verifies the alcohol content of the product."; and

24
25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.