



# Quick Guide: Advertisements, Discounts, Gifts, and Other Promotions

The following quick guide addresses common questions regarding advertising, discounts, donations, gifts, and other promotional activity.

## PRE-APPROVAL OF ADVERTISEMENTS AND PROMOTIONS

The alcohol laws of the District of Columbia do not require members of the alcohol industry to obtain pre-approval from ABRA in order to run advertisements and promotions in the District of Columbia.

## GIFTS TO INDUSTRY MEMBERS

Gifts from manufacturers to wholesalers and retailers and gifts from wholesalers to retailers need the approval of the Alcoholic Beverage Control Board (Board) if they have a value between \$50 and \$500. Gifts that exceed \$500 in value are not permitted if they are subject to the District's gift rules. Industry members seeking the approval of the Alcoholic Beverage Control Board should submit a [Gift and Loan Disclosure Form](#).

## GIFTS TO CONSUMERS

There is no limit to the type or value of gifts given by licensees directly to the consumer under the District's alcohol laws. Please note that if items or money are given to the licensee for the purpose of distribution to the consumer by a source covered by the District's gift rules, the transfer of items or money will be considered a gift and subject to the District's gift rules.

## IDENTIFYING LICENSEES IN ADVERTISEMENTS

ABRA does not consider internet, newspaper, television, social media, and other forms of advertisements to constitute a gift when the ad merely identifies specific licensees or locations that carry a manufacturer's or other supplier's product.

## REBATES AND COUPONS

There are no restrictions on the issuance of consumer rebates (e.g., mail-in, in-store) and consumer coupons (e.g., paper, internet) under the District's alcohol laws. Compensation provided by industry members to other licensees for processing or accepting rebates and coupons may be subject to the District's gift rules.

## **BUY ONE GET ONE FREE (BOGO) PROMOTIONS**

The District's alcohol laws do not prevent licensees from offering "buy one, get one free," "two for one," and similar promotions. On-premise licensees should ensure that they abide by the prohibition on serving intoxicated patrons and comply with rules prohibiting back up drinks.

## **CONSUMER DISCOUNTS AND HAPPY HOURS**

The District's alcohol laws do not regulate the price of alcoholic beverages or require the collection of a minimum charge for any product. Licensees are not prohibited from discounting their products, advertising discounts and other specials, changing their prices, providing free drinks, or offering time limited discounts periods (e.g., happy hour).

## **PROMOTIONAL ITEMS**

The District's alcohol laws do not prohibit manufacturers and other licensees from including additional alcoholic beverages (e.g., mixers), non-alcoholic beverages (e.g., soda), and promotional items (e.g., bottle opener, food, glasses) in any package containing an alcoholic beverage.

## **PROHIBITION ON TIE-INS**

It is illegal for a licensee to either directly or indirectly require another licensee or consumer to purchase one type of alcoholic beverage or other commodity in order to purchase any other type of alcoholic beverage.

## **DONATIONS**

Under the District's alcohol laws, so long as the transaction between members of the alcohol industry are not covered by the District's gift rules, a supplier or licensee may make unlimited donations of product or money to charities or other third parties. Alcohol industry members must comply with the District's import rules if the product is coming from outside the District. Furthermore, on-premise licensees cannot provide closed containers unless their license authorizes the sale and distribution of the product being given away in a closed container (e.g., brew pub).

## **CONTESTS AND SWEEPSTAKES**

The District's alcohol laws do not prohibit licensees from offering contests, sweepstakes, and other promotions. Winnings provided to licensees, their employees, or agents are subject to the District's gift rules. Please note that ABRA does not have jurisdiction over gambling and similar activities; as a result, to determine whether any contest or sweepstake complies with the District's gambling laws contact the [District of Columbia Office of Lottery and Charitable Games](#) by mail at 2235 Shannon Place, S.E., Washington, D.C. 20020 or by phone at (202) 645-8000.

## **ABRA CONTACT INFORMATION**

For more information, visit [ABRA.DC.Gov](http://ABRA.DC.Gov) or contact ABRA at 202-442-4423 or [ABRA@DC.Gov](mailto:ABRA@DC.Gov).