



Oklahoma Association of Broadcasters

## LIQUOR ADVERTISING

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In 1986, Judge West of the U. S. District Court for Western Oklahoma ruled that Oklahoma laws prohibiting the advertising of alcoholic beverages were unconstitutional. Although the laws remain on the books, the enforcing agency—the ABLE Commission—follows the Judge's decision.

Judge West's decision makes it possible to advertise liquor stores, including price advertising. The only thing we have ever been advised is the copy should not entice, encourage, or glamorize consumption. Brand advertising from distillers can also be accepted.

As to bars and clubs, when liquor by the drink came about in Oklahoma, certain guidelines were laid down. No licensee shall:

- ~~(a) Advertise or offer "Happy Hours" or any other means or inducements to stimulate consumption of alcoholic beverages including (these are the pertinent ones regarding advertising):~~
- ~~(b) Sell or offer to sell any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions not open to the public. Any special prices must be good for a seven-day period.~~
- (c) Sell or offer to sell to any person an unlimited number of drinks during any set period for a fixed price, except at private functions not open to the public.
- (d) Sell or offer to sell drinks to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions.
- (e) Encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes.

~~As to what they term "low point beer," that which is sold by other than liquor stores, there are no restrictions other than common sense and the liability that could be incurred, i.e.: free beer.~~ Also, there are some restrictions on the participation of distributors and wholesalers with retailers as to what they call "bonding," which is prohibited. This would be like furnishing free or discounted product for special events.

The advertising of these products is legal in Oklahoma. Individual stations should establish their own policies as to the acceptance and treatment of the advertising of the products.

**revised 2/13/19**