



## DEPARTMENT OF REVENUE

### Liquor and Tobacco Enforcement Division

## COLORADO LIQUOR RULES

### 1 CCR 203-2

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#### **Regulation 47-950. Display of Alcohol Beverages Immediately Adjacent to Soft Drinks, Fruit Juices, Bottled Water, Candy, or Toys, **AND CROSS-OVER ALCOHOL PRODUCTS.****

Basis and Purpose. The statutory authority for this regulation includes but is not limited to subsections **44-3-108**, 44-3-202(1)(b), 44-3-202(2)(a)(I)(A), and 44-3-202(2)(a)(I)(R), C.R.S. The purpose of this regulation is to prevent consumer confusion regarding whether a beverage contains alcohol and to help prevent sales of alcohol beverages to persons under 21 years of age, **AND TO ASSIST INDIVIDUALS RECOVERING FROM SUBSTANCE USE DISORDERS.**

#### A. Definition.

1. As used in this regulation, "immediately adjacent" means directly touching or immediately bordering one another from above, below, or the side, for example, on a shelf directly above or below another shelf; or on a shelf, cooler shelf, or display (including permanent or temporary displays) that is adjacent to another shelf, cooler shelf, or display. "Immediately adjacent" does not include a separate aisle or shelving units or cooler shelving units on the opposite side of an aisle.
2. **"CROSSOVER ALCOHOL PRODUCTS" ARE PRODUCTS CONTAINING ALCOHOL BEVERAGES, WHETHER LIQUID OR FROZEN, THAT USE A TRADEMARK OR BRANDING OF A NON-ALCOHOL PRODUCT ON THEIR LABELING, MARKETING, OR PACKAGING**
3. **"LOW OR NON-ALCOHOLIC ALTERNATIVE BEVERAGES" MEANS BEVERAGES WITH AN ALCOHOL CONTENT OF LESS THAN 0.5% ALCOHOL BY VOLUME THAT ARE MARKETED TO ADULTS AS ALCOHOL-BEVERAGE-LIKE SUBSTITUTIONS FOR BEER, WINE, AND SPIRITS, INCLUDING BUT NOT LIMITED TO PRODUCTS MARKETED AS NEAR BEER; LOW OR NON-ALCOHOLIC BEER, SELTZERS, OR WINE; OR NON-ALCOHOLIC COCKTAILS (SOMETIMES CALLED MOCKTAILS OR VIRGIN COCKTAILS).**

B. Alcohol Beverages Immediately Adjacent to Soft Drinks, Fruit Juices, Bottled Water, Candy, or Toys. Any retail liquor store, liquor licensed drug store, fermented malt beverage and wine retailer, or fermented malt beverage on/off premises licensee that locates, places, or displays (including permanent or temporary displays) alcohol beverages immediately adjacent to soft drinks, fruit juices, bottled water, candy, or toys, shall:

1. Place signage that is clearly visible to consumers on any such shelves, cooler shelves, or displays (including permanent or temporary displays) that contains alcohol beverages and is immediately adjacent to soft drinks, fruit juices, bottled water, candy, or toys. This signage must:

- a. Be at least 8.5 x 5.5 inches or 4.2 x 11 inches, depending on the orientation of the sign;
- b. Use a font size of at least 40 points in black ink; and
- c. State: ~~“THESE PRODUCTS ARE ALCOHOL BEVERAGES AVAILABLE FOR SALE ONLY TO PERSONS WHO ARE 21 YEARS OF AGE AND OLDER.”~~

“CONTAINS ALCOHOL 21+”

YOU MUST BE 21 TO PURCHASE ALCOHOL”

2. Signage may contain only retailer store branding or logos, but may not contain branding or logos of any alcohol beverage brand, manufacturer, or wholesaler.

C. ~~DISPLAY OF CROSS-OVER ALCOHOL PRODUCTS.~~

1. ~~LIQUOR-LICENSED DRUG STORES, FERMENTED MALT BEVERAGE AND WINE RETAILERS, OR FERMENTED MALT BEVERAGE ON/OFF PREMISES LICENSEES SHALL NOT DISPLAY CROSS-OVER ALCOHOL PRODUCTS IMMEDIATELY ADJACENT TO THE NON-ALCOHOL PRODUCT FROM WHICH THE RIGHT TO USE THE TRADEMARK OR BRAND HAS BEEN OBTAINED (E.G., DISPLAYING THE “HARD” (ALCOHOLIC) VERSION OF AN ICED TEA NEXT TO THE NONALCOHOLIC ICE TEA BEVERAGE OF THE SAME BRAND). UNDER NO CIRCUMSTANCES CAN A CROSS-OVER ALCOHOL PRODUCT BE LOCATED IMMEDIATELY ADJACENT TO A NON-ALCOHOL PRODUCT.~~