



*The Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
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**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY**  
**AMENDMENT OF M.G.L. c. 138, §14A TO INCLUDE THE SALE OF MALT**  
**BEVERAGES AND DISTILLED SPIRITS AT AUCTION**

The legislature has amended M.G.L. c.138 §14A to permit the sale of malt beverages and distilled spirits at auctions. This amendment becomes effective April 6, 2015. The licensing authority in any city or town, which is authorized to grant licenses to sell all alcoholic beverages or wines and malt beverages, may grant auction licenses for the sale of wines, malt beverages and distilled spirits not to be drunk on the premises, subject to the following requirements:

1. The applicant must be a licensed auctioneer, pursuant to M.G. L. c. 100, for at least 10 years;
2. Auctions can only be held at a premises which is legally zoned to allow such sales; and
3. Auctions can only be held at the licensee's principal place of business or headquarters or a retail licensee's premises.

An Auction Licensee may conduct an auction on any day and at any time permitted under M.G.L. c. 138, §12. Further, an Auction Licensee may provide, without charge, on premises samples of wines, malt beverages, and distilled spirits tastings for prospective customers if such wines, malt beverages, and distilled spirits shall be available for sale at auction on those premises. However, no single sample serving shall exceed 1 ounce of wine, 3 ounces of malt beverages and ¼ of an ounce of distilled spirits; and provided further, that the licensee shall control the distribution of the alcoholic beverages.

The licensing authorities shall follow the same procedure to grant an Auction License as it follows for granting one day licenses pursuant to M.G.L. c. 138, §14. The fee for an Auction License shall not exceed the minimum fee for a one day license.

As always, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by applicable law. Questions concerning this advisory can be directed to Ralph Sacramone, Executive Director of the Massachusetts Alcoholic Beverages Control Commission at 617-727-3040 x 731.

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