MUNICIPAL

LIQUOR STORE

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Alcohol Laws <u>Have</u> Changed Over the Past 20 Years

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MUNICIPAL LIQUOR STORE

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ON THE COVER

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Nothing could be further from the truth.

Although the need to regulate this potentially dangerous product has certainly not changed, the manner in which we regulate it has been substantially modified in the last twenty years.

See page 6 for a memorandum summarizing some of those changes.

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MMBA President's Message



GARY BUYSSE
President

I spent a few days in Canada over the Memorial Day Weekend searching for muskies with my son Ethan and his friend Bethany.

I would heartily recommend a wilderness trip to anyone who wants to get away from most of the things giving you stress.

It was an extremely relaxing experience; no cell service, no data, no traffic noise, etc.

Our cabin was one of two on Katimiagamak Lake in Ontario.

All of our electricity came from the sun and was sufficient to power the refrigerator and the lights at night, so we were never disturbed by any electronic interference - only the songs of the loons.

I also learned a small amount of humility can be found in an outhouse.

We were also blessed with many smallmouth bass and muskies.

On our return trip to Minnesota, a five hour journey as a Camry flies, we listened to a podcast about an adventurer and physicians assistant named Jeff B Evans.

Jeff started out an average guy in Roanoke Virginia and moved to Boulder Colorado to pursue a degree in cultural anthropology.

It's there he discovered his love for rock climbing, a hobby that would quickly develop into a lifestyle.

Jeff's accomplishments include 5

seasons guiding commercial clients in the Denali Range in Alaska and leading his friend Erik, who is blind, to the summit of Mt Everest

Jeff is also Chief Medic on the highest helicopter based search and rescue team to operate on Everest and was medical lead of a trauma team that served on the front lines of Mosul, Iraq during its liberation from ISIS.

Erik and Jeff have also developed a therapeutic climbing program for returning veterans called "No Barriers Warriors" that has aided thousands of returning veterans in their search for camaraderie and purpose.

Jeff Evans has spent his life assisting others.

He's an adrenaline junkie, in my opinion, who has channeled his love of excitement and self discovery into assisting others.

He has selflessly risked his life on some of the highest peaks on earth, pushing the limits of human and technological capability.

In one instance he and his crew put themselves in great peril to

rescue a "tourist" on Everest who informed them on their arrival at base camp he needed to come down the mountain because he was cold!

Ordinary people can accomplish extraordinary things!

As managers, our leadership can have a profound effect on our customers, our staff members and our residents.

Some of the challenges we face daily can seem insurmountable.

But, challenge and change seem less daunting if we make them a regular part of our routine.

You can change someone's life with a kind word, a little direction or an opportunity.

The challenges most of us face daily pale in comparison to the people we encounter.

Take the time to hear their stories, take a leap to try something new, to assist someone in need.

It will change your life as well!

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Pertinent Changes to Minnesota Liquor Laws in the Past 20 Years

MEMORANDUM

From: Michael D. Madigan

Re: Pertinent Changes to Minnesota Liquor Laws in the Last 20 Years

Date: July 21, 2017

INTRODUCTION

Large retail chains, small brewers, and others interested in deregulating the liquor industry often claim that liquor regulations have remained unchanged since prohibition was repealed. Nothing could be further from the truth. Although the need to regulate this potentially dangerous product has certainly not changed, the manner in which we regulate it has been substantially modified in the last twenty years. The Memorandum summarizes some of those changes.

MODIFICATIONS TO MINNESOTA LIQUOR LAWS

- 1. In 1986, the minimum drinking age was raised from 19 to 21.
- 2. In 1987, a three-tier, tied-house exception was created for brewpubs. This amendment permitted a retailer licensed under the section to brew up to 2,000 barrels of beer on the premises for consumption solely on the premises. The permit fee was set at only \$500 per year.
- 3. In 1994, another amendment increased the brewpub production limit from 2,000 barrels to 3,500 barrels. In addition, a brewpub who exceeded 3,500 barrels in a year could apply to the Commissioner for a permit to manufacture more than 3,500 barrels in a year. Also, the permit fee for brewers who manufactured fewer than 2,000

barrels per year was reduced from \$15,000 per year to \$150 per year.

- 4. "Qualified Brewers" who produce fewer than 25,000 barrels per year do not have to pay the Minnesota beer excise tax (\$4.60 per barrel) but, pursuant to a 1994 amendment, they had to report their production to the Commissioner of Revenue.
- 5. A 1995 amendment expanded the license privileges of a brewpub by permitting them to hold a retail license (but they cannot hold a manufacturer, importer, or wholesaler license. The 1995 amendment also permitted the sale of Home Brewing Equipment and permitted the seller of such equipment to provide ingredients and brewing equi ment to a customer at the store without complying with regulations pertaining to brewers.
- 6. A 1996 amendment authorized brewers to hold beer tastings at off-sale license premises and municipal liquor stores.
- 7. Prior to 2003, brewpubs were only permitted to sell the beer that they brewed for consumption on the retail premises. Pursuant to a 2003 amendment, they were permitted to sell their beer off-sale directly to the public in 64 ounce growlers, provided however, that their off-sales may not total more than 50% of their production or 500 barrels, whichever is less. Also, prior to 2003, no retailer could sell alcohol for consumption on the premises between 1:00 am and 8:00 am on Monday through Saturday and after 1:00 am on Sunday. Pursuant to a 2003 amendment, such sales could not be made between 2:00 am and 8:00 am on Monday through Saturday and after 2:00 am on Sunday. In other words, the 1:00 am closing time was extended to 2:00 am.

- 8. A 2003 amendment authorized brewers to hold beer tastings at on-sale license
- 9. A 2005 amendment raised the permit fees for brewers producing more than 3,500 barrels a year from \$2,500 per year to \$4,000 per year. It did not raise the \$500 fee for brewers producing under 3,500 barrels per year (which includes most Minnesota brewers). The 2005 amendment conferred yet another competitive advantage to small brewers by permitting any brewer producing fewer than 3,500 barrels a year to sell their beer off-sale directly to the public in 64 ounce growlers. The amendment conferred a further competitive advantage to small brewers and brewpubs by removing the restriction that their growler sales may not exceed 50% of their production. It did leave in place the 500 barrel limitation. It also authorized a municipality to issue to a brewer producing under 3,500 barrels a year a temporary on-sale license in connection with a "social event" within the municipality. Another 2005 amendment expanded the hours that an off-sale retailer could sell alcohol to include Thanksgiving, Christmas Day, or after 8:00 pm on Christmas Eve.
- 10. A 2007 amendment conferred yet another competitive advantage to small brewers producing under 3,500 barrels a year by permitting them to not only sell growlers off-sale but also permitting them to sell 750 milliliter bottles off-sale. A 2007 amendment permitted the State Agricultural Society to permit the sale of strong beer at the State Fair provided that at least one Minnesota brewed malt liquor is made available for sale at each allowed location.
- 11. A 2009 amendment extended the hours of sale for a "farm winery". Previously, they could not sell their

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THE PULL
OF THE
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wine before noon on Sunday. Pursuant to this amendment, they can now begin selling at 10:00 am on Sunday. In addition, this amendment allowed farm wineries to not only product wine but also to produce distilled spirits provided that they pay a \$50 fee to Public Safety.

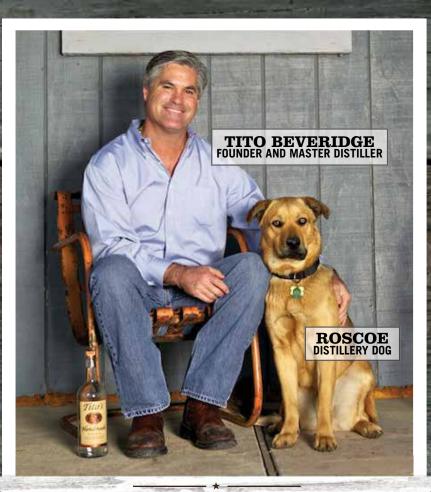
- 12. A 2011 amendment conferred yet another competitive advantage to small brewers by authorizing taprooms which permits a brewer to have a taproom license on the brewery premise. Pursuant to this amendment, a brewery may have a restaurant on the premises and serve their own beer. It also conferred an advantage small distilleries by creating a "microdistillery" regulatory category. Finally, it permited farm wineries to sell at a county fair.
- 13. A 2013 amendment conferred yet another competitive advantage to small brewers by providing that a brewer may get a taproom license in a city with a municipal liquor store. No other retailer has such a privilege. It also authorized brewers who produced more than 3,500 barrels a year to sell growlers and 750 milliliter bottles from their taprooms. The brewer selfdistribution privilege, which was previously available to brewers producing 25,000 barrels a year or less, was limited to brewers producing 20,000 barrels a year or less. The amendment permits microdistilleries to provide samples on its premises.
- 14. A 2014 amendment permitted microdistillers to have a "cocktail room license" and sell directly to the public under certain circumstances. The amendment conferred yet another competitive advantage to small brewers by permitting them to be open and conduct on-sale business on Sundays if authorized by a municipality. The amendment expanded the number of sampling events that a brewer may do in a year at a particular retailer from five to twelve events.
- 15. A 2015 amendment permitted brewpubs to sell their beer at the Minnesota Craft Brewers Guild area at the Horticultural Building during the State Fair.

- 16. A new statute enacted in 2015 created a new license for small brewers that expressly permits off-sale of malt liquor at its premises packaged in 64-ounce growlers or 750 mL bottles. This license is authorized for brewers brewing less than 20,000 barrels per year (or wineries producing less than 250,000 gallons of wine per year), authorized the sale of up to 500 barrels per year for off-sale, and authorized the off-sale of malt liquor in growlers on Sundays.
- 17. A 2015 amendment specifically created a new statute that authorizes a "brewer taproom license." While small brewer's had previously been permitted to open a taproom, this new statute allows all brewers up to 250,000 barrels (or a winery of up to 250,000 gallons of wine annually) to obtain a brewer taproom license for on-sale of malt liquor produced by the brewer. This statute also expressly allows for the holding of a restaurant license at the brewery premises.
- 18. A 2015 amendment permitted microdistillers to sell to the public for off-sale of distilled spirits. These

- sales are limited to one 375 mL bottle per customer per day of product manufactured on site.
- 19. A 2017 amendment increased the sales advantage enjoyed by small brewers and brewpubs by increasing the annual sales limits for growler sales from 500 to 750 barrels.
- 20. A 2017 amendment authorized "cocktail rooms" to be open and conduct on-sale business on Sundays if authorized by a municipality.
- 21. A 2017 amendment repealed the Sunday Sales prohibition, authorizing the sale of alcoholic beverage through off-sale retailers on Sundays between the hours of 11:00 a.m. and 6:00 p.m. on Sundays. This amendment also specifically prohibits the delivery of alcohol to an off-sale licensee by a wholesaler and the acceptance of such product by an off-sale retailer on Sundays, as well as order solicitation or merchandising by a wholesaler on a Sunday.



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Keys to An Effective & Profitable Sales Floor

By MMBA Conference Presenter, Tom Shay

Let's take a trip and examine the sales floors of your competitors; we want to see how they merchandise the goods and services they offer. Hopefully, at each business, we will find quality items, well displayed and reasonably priced-these three being the essential components of selling merchandise.

To make this happen, manufacturers have spent tremendous amounts of money creating displays that will assist the customer in making the decision to buy, whether or not a salesperson is with the customer. It is also true that the manufacturer wants to be sure that the customer purchases its merchandise-even if it is not from the store they are currently in.

Too often we find dependence by dealers on manufacturers' displays. Many times a sales floor becomes a collection of manufacturers' displays rather than a showroom for the goods and services offered by the business. Let's take a look at a baker's dozen of ideas that will not only increase your chances of completing the sale, but also will enhance your ability to distinguish yourself from the competition.

Let's first look at ideas 1 through 4, as they work together. Research has shown the importance of the first-having an attractive entrance. Over 50 percent of customers get their strongest perception of your business by the exterior appearance. Mother

was right when she told us you only get one chance to make a first impression. The second idea is to look at how merchandise is placed around your business. You want customers to immediately see the direction you want them to go (usually to the right) as they enter your sales floor. The traffic flow you have created should take the customer through the store in a manner by which they are exposed to all the product categories you carry (idea 3).

Idea 4 is to place your drawing-card merchandise in the back of the store. Think about a grocery store: where do they place the milk, bread, eggs, and meat? They are on exterior walls, far away from the front door. This is so the customer will see as much of the store as possible.

The next five ideas also work together in maximizing the displays you create and making the manufacturer's display an important part of your efforts. The sales floor needs not only to address the current season, but also should tell the customers about the trends for the next season. Just visit a department store to see how winter coats are displayed in late summer. This plants a thought in the mind of the customer of where to shop when he or she has a need for a winter coat.

Idea 6 is that your store should appeal to as many of the five senses as possible. Research shows that customers are more likely to spend money when the store smells good, has pleasant music, and allows them to see and feel the products. Give the customer some-

thing to nibble on-and you coverall five senses!

Grouping merchandise by colors is the idea 7. Just look at how hand tools in a hardware store are available in day-glow colors. It is also important to place related items near one another (idea 8), and have displays of add-on sale items (idea 9). Having impulse purchases is idea 10. Look again at the checkout aisle in a grocery store, and you will see masters of getting customers to add just one more thing to their purchases. While we are discussing floor displays, if a display has an unattractive side, it should be placed against a wall or backed up to another display. Merchandise needs to be seen from whichever direction a customer approaches (idea 11).

Completing our display discussion, the most important space in your business is the area at eye level. Using the walls to should display the high dollar items at eye level (idea 12); and if you sell accessories to the whole goods you are selling, the whole goods should occupy the eye-level space (idea 13).

While we promised you a baker's dozen of ideas, there is one more. This is done intentionally because, just as in dealing with customers, you should give them more than what is expected. Idea 14 deals with signs. Signs have been shown to substantially increase sales. With today's computer-software programs, you can easily create signs to introduce new products, explain their features and benefits, and tell your customers the services you offer.

Today's customers have the advantage of being able to shop through a catalog, the Internet, or in your store. When they do come to your store, make sure your store gives them many reasons not only to do business with you but also to return.

Teamwork divides the task and multiplies the success



***** * * *

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Liquor Facility Tour Questions

At the recent MMBA Regional Meetings, members requested a copy of some questions to ask when visiting other facilities. It was originally designed for members looking for construction information. However, many of the questions can be used to improve current operations.

- What are building dimensions and how is it distributed between floor space, shelf space, cooler space, storage space, counter space and other?
- What are the dimensions of parking lot, how many cars can park and how do you handle boats and campers?
- What are community demographics (age, population, work location, occupation, population increasing or decreasing etc.)
- What are your customer demographics? Is there room to expand customer base?
- What is the street traffic count and which way does the traffic go when people come home from work and go out of town?
- What is the store customer traffic count?
- * How are sales distributed between products (beer / liquor / wine / cigarettes / lottery / misc.)?
- What were the total sales / product distribution / customer count / customer demographics / street traffic count etc. in previous location?
- What is the store marketing niche price, convenience, selection, gift selection, cigar selection etc.? What was it in previous location?
- What is the marketing/promotional strategy? Past location?
- What is the pricing policy? Past location?
- * How much did the building / land / coolers / fixtures cost?
- * How were building plans developed?
- * How was the new facility financed?
- Were there any unanticipated construction costs?
- Why is the store layout the way it is?
- What did the previous stores look like and why?
- What type of inventory control system is utilized?
- What would you do different?



Free-Pour or Hand-Measure?

By Barprofits.com

The decision whether to rely on freepouring or hand-measuring liquor largely boils down to a question of style vs. substance. Free-pouring is a stylish technique extremely popular with bartenders. It's also the fastest, most expedient method of pouring from a drink making perspective. The speed is derived from the bartender being able to portion the spirits with one hand, while simultaneously adding in the mixer with the other. Speed of service is why it's frequently employed in high-volume beverage operations.

The technique does have its shortcomings though. Free-pouring accurate measurements over the course of a long night requires an inordinate amount of mental stamina. It's especially difficult for bartenders to pour accurately when they're tired, or working at a frenzied pace, which is when profitability and drink consistency really take a beating. But regardless of the circumstances, it is easier to dispense heavy shots when free-pouring than when using a shot glass and it's harder for supervisors to spot the overage.

Permitting bartenders to free-pour liquor can be an expensive proposition. On the other hand, some will contend that the cost of slowing their bartenders' with shot glasses is equally steep. The deciding factor is typically based on the operational demands of the concept. Since no bar or restaurant operates under the burden of too much profit, effective portioning controls are a must.

FREE-POURING STEP BY STEP

1. Here's a rule of thumb. When a liquor bottle outfitted with a medium-speed commercial pour spout is inverted between 45° and 90°, it will dispense approximately 1/2 oz. of spirits

- per second. Based on that, an internal cadence of "one-one thousand, two-one thousand, three-one thousand," will vield a 1.5 ounce portion of spirits.
- 2. Should the count of three result in more than a jigger of spirits in the glass, then the bartender's internal cadence is too slow and will need to be sped up. If there's less than a jigger in the glass, it means the person's cadence is too fast and will need to be slowed down. After that, it's just a matter of the bartender maintaining a consistent cadence.
- 3. Liqueurs, which are denser and more viscous than spirits, will pass through a spout at a slower rate, which means that when free pouring Baileys or Kahlúa

- bartenders need to know to compensate by counting more slowly.
- 4. It's advisable to routinely test bartenders pouring abilities. Arrange a half-dozen empty glasses on the bar rail, and have them quickly pour a staggered series of measurements into each. Afterwards, pour the contents of each glass into a graduated cylinder, or measuring cup to gauge their accuracy. Many operators establish standards for pouring accuracy, and if a bartender doesn't pour up to those standards, the individual is required to use a shot glass until such time as he's able to consistently free pour accurate measurements.

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Characteristics of an Effective Shelf Talker

By MMBA Annual Conference Presenter Darryl Rosen

This is an important question! In my travels, I see a lot of shelf talkers that neither engage nor inform. It seems (by looking at many shelf-talkers) that many a sales professional is just trying to check off an item on his or her to-do list. Most shelf-talkers just take up space and seem sort of half-asked. But it shouldn't be that way. Numerous studies show that nearly half of all purchase decisions are made at the point of purchase. In other words, many consumers don't know what they want when they enter a store and they need help making a selection. Certainly, with stores cutting staff, effective shelf-talkers (aka: silent salespeople) can and will help move product. Effective merchandising is a great way to differentiate your business and your products.

I bold-faced the word "engage" above because as you'll see below, grabbing the consumer's attention or engaging them is half the battle

Engaging shelf-talkers stand out in the following ways:

1) Engaging shelf talkers have big fonts – or at least a big enough typeface so that consumers can comfortably read them.

The population is aging (as am I) and as one ages, he or she ultimately loses his or her ability to see like the good old days. (If you don't see that now, you will soon. No pun intended!) All typefaces should be bold and clear. Try to use the following colors as they're easy to decipher: Black, red and white. Suffice to say, consumers shouldn't need to squint to read your shelf-talkers.

2) Engaging shelf talkers are readable and can be read while a consumer is moving.

Consumers move pretty fast and if you spend some time in an account just watching them, you'll know what I mean. To draw the attention of people moving quickly, a sign must not only have the right size letters, but should also be in a font that one can read while moving. Stay away from crazy fonts. If you're not sure, make a sign, put it up and see how it looks as you approach it. If the words aren't clear as you approach, go back to the drawing board.

3) Engaging shelf talkers are creative - but not overly creative.

How's that for a contradiction? It's not just crazy fonts that sabotage your efforts; excess creativity can take a bite as well. Yes, creativity is a good thing but not at the expense of your message. Often images and graphics work against the effective delivery of your message. A well-designed sign is creative, and highlights the unique selling benefit or the product's story, not necessarily the artist's skills.

4) Engaging shelf talkers are informative in at least one compelling way.

It's about to get controversial in here! I abhor tasting notes. I think they have a place in beverage selling but, unfortunately, most descriptions rely on overused phrases like "hints of pear" and "a floral bouquet". Further, I believe that many sales professionals use these descriptions because they're easily sourced from either the Internet or the supplier. I firmly believe that both the sales professional and retailer know far more about how to sell a product in

a given market than the supplier – in some cases located half a world away.

Aesthetically, in the case of shelf-talkers, I am bothered in two ways. First, there are often way too many words for such a small space. Second, as many shelf-talkers look the same, one doesn't necessarily stand out along a row of wines, beers or spirits. That's the whole objective of a shelf-talker - to stand out.

Shelf talkers should have one primary focal point. Something other than what one could discern by picking up the bottle. If the product has one redeeming benefit, than that's what should catch the consumer's attention. Just scored a 93 in a major trade publication, then that's what should catch the consumer's attention. It's certainly more timeconsuming to make your shelf-talkers stand out, but you'll be rewarded by the extra effort.

5) Engaging shelf talkers are well maintained and don't look like they're been hanging there since wine was invented.

Retailers know that it's beneficial to shake things up a bit. By that I mean it helps to give your store a fresh look every once in a while. Often, just moving a product from one end of the aisle to the other leaves consumers with the impression that it's a new product. Back in my retail days, I remember how we would move a product 3 feet and customers would ask when we got the XYZ Chardonnay in stock. Funny thing is we had it all along; it was just 3 feet the other way!

A well maintained shelf-talker may give the illusion of an exciting new product and, just that fact alone, might spur some incremental sales.

The Key to Obtaining Council Approval

Bob often comments to other staff that the council never buys him anything and the police get whatever they want.

Speaking of the police, let's review a different story.

The Police Chief sees the squad car is due for replacement next year.

He reminds the police committee at each quarterly meeting of upcoming capital outlay items.

He spends many, many hours obtaining bids, making sure the bids are all bidding the same things, etc.

The Police Chief also spends many hours making a list of all the possible pros and cons of all of the variables related to the purchase of a new squad car. He submits a detailed packet to the council with his recommendation.

At the council meeting, the Police Chief presents the information and asks if they have any questions.

The council unanimously votes to approve the purchase of a new squad car.

Do you notice any differences in these two scenarios?

The Police Chief researched all of the options and tells the council at every opportunity why these purchases are needed in the future.

Bob feels entitled to a new piece of equipment.

He does no research, makes no effort to keep the council informed and does not present any compelling reasons why the expenditure is needed.

Don't be like Bob when requesting a new POS, coolers, shelves, etc.

Do the homework.

Demonstrate a need.

Give the council a solution.

Have everything well laid out on paper.

Whatever you do, don't say "You should buy X because we have the money."

This really angers the council and they are less likely to grant your request now and in the future.

Sarah Olsen Mapleton



MMBA Commercial Members Are Available to You! Contact Them!

Silver Plus

August Schells Brewing

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ATM Source

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Bacardi USA

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Brown-Forman

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Catalyst North America

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Dahlheimer Beverage

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Bellboy Corporation

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BreakThru Beverage Minnesota

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Crow River Winery

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Crystal Springs Ice

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Delaney Consulting

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FuturePoint Solutions

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Independent Merchant <u>Services</u>

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J.J. Taylor Distributing .

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Johnson Brothers Liquor Company

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Mike's Hard Lemonade

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Pabst Brewing Company

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Z Wines USA

Contact: Roy Goslin **Phone:** (763) 745-0620 E-mail: roy@zwinesusa.com



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