

## **Businesses held responsible in sale of alcohol; training, register programs can be used to help comply with state law**

**Posted: Sunday, August 10, 2014 10:00 am**

There is a definite initial barrier to get past when it comes to selling alcohol in Georgia.

If the customer isn't 21 or older, they don't get any.

But how an establishment that sells any variation of alcoholic beverage goes about enforcing that restriction is up for interpretation.

"It's left up to each business to make sure that the law is followed by whatever method is best for them," Rome City Clerk Joe Smith said. "We've heard of different requirements at different businesses."

Smith's office oversees the applications for alcohol licenses for all businesses in the city limits, whether it's a store with package sales or a restaurant or bar selling drinks.

The city's Alcohol Control Commission, consisting of city commissioners and appointed citizens, reviews the applications and votes on allowing the businesses to purchase a license.

One of the things the ACC asks of each licensee is if they have basic plans in place to avoid selling to people who are younger than 21, beyond simply checking a person's identification.

"It is up to the individual business to properly train their employees for what they feel is the best particular case," Smith said. "One thing that is consistent is, if they are tested — as they sometime are by the city police department or the state Department of Revenue — and fail, they are cited."

In the most recent "test" by Rome police, out of 73 licensed businesses, 11 of them had employees that sold alcohol to an underage informant working with investigators.



**Joe Smith**

Rome City Clerk Joe Smith

Smith said formal training for employees who sell or serve alcohol can originate with the business, as is the case for most of the larger chain stores like Kroger and Walmart, or through online programs.

One of those programs is **TIPS**, which states on its website that it helps employees develop skills to prevent intoxication, underage drinking and drunk driving.

Employee training isn't required by the **Georgia Department of Revenue**, but the agency states on its website that it is "highly encouraged."

Another precaution many stores have is a cash register system that requires employees to input the customer's date of birth, normally obtained from a state-issued identification, in order to complete a sale of alcohol.

"That's a good idea but, as we found out, it's not an infallible system," Smith said.

During ACC hearings last week, representatives of some of the 11 cited stores said they have a register program but the employee was able to override it or input a dummy birth date.

"That is only as good as the employee is at following the instructions," Smith said. "If an employee doesn't follow proper protocol, they can still violate law."

Smith said no matter what a business does to ensure all local and state codes are followed, they all have the right to refuse a sale, even if someone appears to be older than 21.