



california court of appeal rejects abc interpretation of “single beverage condition”

MSK Client Alert

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The California Court of Appeal recently rejected the ABC's reading of a "single beverage condition" it used in a license issued to a Sacramento gas station. (*Dept. of Alcoholic Beverage Control (ABC) v. ABC (Case No. C085199)*). The condition read: "Beer and/or malt beverages shall be sold in original factory packages of a six-pack or greater, except malt based coolers. At no time, shall a single unit be sold individually, or in conjunction with another brand/size container of beer and/or malt beverage to constitute a six-pack or larger quantity."

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