



# Beer Sales & Support: Guidelines for Volunteer Service

1. Volunteers must be **21 years of age** or older to serve alcohol.
2. Volunteers must abstain from drinking until “off the clock”, after their volunteer service is finished and have removed their volunteer nametag and any volunteer apparel.
3. Volunteers must be trained on Safe Alcohol Sales (Ohio Department of Commerce) including understanding that *they bear the same liabilities for illegal alcohol sales as someone who is paid to serve and sell alcohol.*

## Safe Alcohol Sales Training

### I. Responsible Beverage Service

We must all accept the responsibility of proper alcohol beverage service. Be certain not to sell to a patron if there is a question as to the age or sobriety of the customer. You should be aware that recent Ohio Supreme Court decisions held the seller of alcoholic beverages liable for the results of irresponsible service.

- A. The two major types of “customers of concern” are:
  1. The **underage** customer.
  2. The **intoxicated** customer.
- B. The three basic concepts of responsible beverage service are:
  1. How to **identify** the customer of concern.
  2. **Alternatives** of service to the customer when the sale of alcohol is not possible.
  3. **Methods** of intervention.

### II. Preventing Sales to Underage Persons

Ohio Revised Code Section 4301.639 (see page 12) provides a defense for a seller who, in good faith, accepts spurious or false identification, providing the seller complied with the outlined procedures of this section. It is the duty of the seller to question any person who, from their physical characteristics, appears to be underage.

A. The laws of the State of Ohio require a person to be **21 years of age** to purchase **any** alcohol, including beer. **Always check ID to verify age.** Acceptable forms of identification include current valid Driver's License, Ohio Identification Card (for non-drivers) Passport, or Military ID.

B. In addition to always carefully checking a valid form of identification, there are several verbal and non-verbal clues to help the alcohol server identify the underage customer.

1. slight **physical** build;
2. lack of **facial** hair;
3. thin and "unweathered" **hands**;
4. physical signs of **nervous tension**;
5. **high pitched** or cracking voice;
6. excessive **talking**;
7. **clothing** inappropriate for the age;

### **III. Preventing Sales to Intoxicated Persons**

In addition to sales to underage persons, it is also a violation of Ohio law to sell alcoholic beverages to anyone who is intoxicated. Ohio Revised Code Section 4301.22(B) (see page 7) states that no sales shall be made to an intoxicated person. Violation of this law is a third degree misdemeanor, and can result in a fine of up to \$500 and/or 60 days in jail.

The volunteer should be alert and look for signs that indicate a person may be intoxicated. Observe the customer's actions, appearance, speech and other mannerisms to see if they give the impression of an intoxicated individual. If intoxication is suspected, the sale should be refused.

A. Ohio liquor law says that "**no sales shall be made to an intoxicated person.**"

B. Clues that help identify the intoxicated person are:

1. Bloodshot or glassy eyes;
2. Flushed complexion;
3. Disheveled hair or clothing;
4. Staggering when walking;
5. Unsteady on feet;
6. Odor of alcohol about their breath;
7. Uncoordinated actions or movements;

- 8. Incoherent, garbled or slurred speech;
- 9. Boisterous, loud, or profane language.

C. The volunteer should also “interview” the customer to determine if he/she had been drinking before coming into the store.

#### **IV. Responsible Beverage Service is a Necessity and a Duty**

The duty of responsible beverage service is one that is recognized by the division, the legislature, and the courts. By working together, we can make this program a success and ensure the safety of our patrons and all Ohioans.

A. You must make sure that each sale is appropriate and **legal**.

B. If there is any question in your mind as to the customer’s **age** or **Sobriety** (person may be intoxicated), you **cannot** make the sale.

C. *If you sell alcohol to an underage or intoxicated customer*, not only are you breaking the law, For a liquor sales agent, this could mean termination of your liquor agency contract with this division (see Ohio Revised Code section 4399.18).

**Volunteers should reach out to staff and/or contact #937-225-HELP for Ranger Assistance when dealing with an unreasonable or irrational customer.**

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