

# BC Beer Law: The Government's Report on Liquor Law Reform & What Exactly is a 'Beer Lawyer'?



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ONE of the things that surprises students when they start law school is just how many kinds of law people actually practice. When most of us think of lawyers we think of the people we see on TV and in film—litigators who go to court and advocate on behalf of their clients. However, a lot of lawyers (like yours truly) are solicitors who never see the inside of a court room. Our job is to advise on everything from business transactions to dealing with government regulators; to negotiate, review and draft legal agreements, and to help our clients navigate the challenges and opportunities they encounter in running their businesses. Many of us focus our practices on specific industries, and so you have construction lawyers, forestry lawyers,

entertainment lawyers, and yes, even beer lawyers. Beer lawyers? Well, believe it or not, there are actually lawyers who specialize in acting for clients in the beer industry, and I'm one of them.

As most of our province's craft brewers would attest, BC's craft beer industry is regulated by a bizarre and antiquated set of rules and policies. From navigating the Liquor Control and Licensing Branch's confusing application processes, to working with the archaic rules that govern the Liquor Distribution Branch (LDB), our province's craft brewers operate within a uniquely challenging regulatory environment. However, while people in the industry do face a number of distinct legal challenges, they also deal with many of the same issues that confront all small and medium-sized businesses—things like leasing a space, borrowing money to finance growth, and contracting with other companies. That's where I come into the picture. In addition to specializing in the laws and issues that are unique to BC's craft brewers (a.k.a. 'beer law'), I also have a general business law background. This allows

me to assist my clients in the industry with a variety of issues at every stage of their growth and development, from leasing, business structuring, financing, and liquor licensing and distribution, to intellectual property and trademarks, employee and shareholder issues, and municipal permits and licensing. That friends, in a nutshell, is my 'beer law' practice.

As a craft beer drinker who loves being able to work with an industry that I feel so passionately about, I'm really pleased that the good people at *BC Craft Beer News* asked me to be a regular contributor, and I'm excited to be sharing these pages with so many great writers and craft beer advocates. Going forward, I'll be writing about the numerous legal issues that affect our province's craft brewers and the many people who benefit from their labours. From the stresses of opening a brewery to the challenges of meeting customer demand, my aim will be to shed some light on the legal and business environment in which our province's craft beer industry operates.

Undoubtedly, the biggest legal issue to come along

for BC's craft brewers in quite some time has been the Province's first review of its antiquated liquor laws in over two decades. After holding 65 stakeholder meetings, and receiving 76,255 site visits and 3,587 emails over a six-week public consultation period, John Yap, Parliamentary Secretary to the Attorney General and Minister of Justice, released his "BC Liquor Policy Final Report" on January 31. The Report contains a total of 73 recommendations that touch on everything from how alcohol is sold and purchased to how it's licensed and distributed, and the Province has endorsed every one of them. In my upcoming articles for this paper I'll be looking in greater detail at several of the recommendations I think will have the biggest impact on BC's craft beer industry. These include the government's plans to:

- Work with industry and tourism authorities to create promotional materials to develop craft beer tourism
- Improve BC craft beer marketing and product placement in government liquor stores

- Discuss the establishment of a quality assurance program for BC craft beer, similar to the Vintners Quality Assurance program currently used by our vintners
- Review the minimum requirements to obtain a brewery license and consider how these are regulated
- Allow manufacturers to offer their products for sample and sale at temporary off-site locations like farmers' markets
- Permit growler sales at private and public liquor stores

So just what could these initiatives mean for BC's craft beer industry? While I would have liked to see firmer commitments from the Province on several of them, I think that, if implemented, they could signal a real 'sea change' in the industry's fortunes. With its market share growing from 9% of all LDB beer sales in 2009 to 19% in 2013, and sales showing 17% growth between 2012 and 2013, it's hard not to be impressed by the industry's recent market performance. However, to start achieving the kind of success that our province's vintners enjoy,

BC's craft brewers need to start getting the same kind of treatment from government. This is why these recommendations are so important. By giving consumers more access to BC craft beer, more opportunities to connect with the people who make their beer, and more information about what distinguishes craft from macro, these recommendations could go a long way to help regain some of the market share that's been lost to wine and spirits in recent years. Indeed, if we can remain engaged and make sure that the Province actually implements these recommendations, I think that we could be in for a golden age for craft beer in BC. With the recent openings of Black Kettle Brewing, Barkerville Brewing, Three Ranges Brewing and Bomber Brewing, things have never been better for BC craft beer drinkers, and as the winter seasonals start getting replaced by spring seasonals, we should all raise a glass to the many fine people who work tirelessly to make the beer we love and advocate on behalf of the industry that makes it all happen. We're all better off thanks to their efforts.

## The art of Pioneering



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ARTHUR SCHOENHAUER

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## This Sandwich, That Beer: Food Trucks and Breweries



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**SOMETHING** I'm finding very cool is a recent trend in Vancouver of breweries teaming up with different food trucks. Just order your food outside, then head inside to the tasting room, grab a seat and a beer, and enjoy! I recently had the chance to try out a fairly new addition to Vancouver food truck scene while outside what is quickly becoming my favourite new brewery!

Fat Duck Mobile Eatery can be found just outside of Brassneck Brewery on Main Street most weekends from 11:30 am until about 3 pm. They currently offer

three different sandwiches and, on most days, a daily special. Based on the truck's name, I found one of the sandwiches particularly fitting: The Duck Confit "Philly Style," with marinated mushrooms, pickled onions, slivered green onions, Swiss cheese and truffle/parmesan mayo. First of all, I'll say that if you're given the option of duck confit on a sandwich, you take it.

Let's start with the bread; it's soft and they toast it with duck fat. It's amazing. Enough said. The duck confit is crazy tender and rich: almost melting with each bite. They're really generous with their meat portions, too. The pickled onions deliver some nice acidity, a touch of sweetness, and a bit of crunch. The marinated mushrooms are a cool surprise here, adding an unexpected texture as well as a nice earthy flavour. The Swiss cheese melted over the duck is perfect and marries nicely with the truffle/parmesan mayo. This sandwich is decadence personified.

Brassneck Brewery, opened in September 2013 by Nigel Springthorpe (of the city's top craft beer bar Alibi Room) and head brewer Conrad Gmoser formally of Steamworks, has been brewing up a

storm since they opened; with such styles as their No Brainer corn lager, Passive Aggressive dry hopped pale ale, Inertia imperial stout, Brassneck Ale classic ale, and Joe's Barn traditional saison. After tasting through a few of the different styles with Nigel, we decided that the Joe's Barn was the best fit for the duck confit sandwich. Joe's Barn is as true a saison as you'll find from any local or regional brewer. The beer pours a mildly cloudy golden yellow, has a crisp dry mouth feel, a subtle tartness and just a little funk in the flavour. I found that its crispness cut through the duck fat, and its bright flavour stood up against the duck's deep richness. I found that this saison also pulls even more sweetness from the pickled onions, making for an amazing taste combination. I really liked the drinkability of the saison with this sandwich, as it didn't sit too heavily.

So, if you're looking to pop by a wicked local brewery for a traditional saison to pair up with an unparalleled duck confit sandwich from a local food truck... then head to Brassneck Brewery when Fat Duck Mobile Eatery is out front. 2148 Main Street, Vancouver