

A bill for an act
relating to alcohol; creating a primary source law for distilled spirits; amending
Minnesota Statutes 2010, section 340A.311.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 340A.311, is amended to read:

340A.311 BRAND REGISTRATION.

(a) A brand of intoxicating liquor or 3.2 percent malt liquor may not be
manufactured, imported into, or sold in the state unless the brand label has been registered
with and approved by the commissioner. A brand registration must be renewed every three
years in order to remain in effect. The fee for an initial brand registration is \$40. The fee
for brand registration renewal is \$30. The brand label of a brand of intoxicating liquor
or 3.2 percent malt liquor for which the brand registration has expired, is conclusively
deemed abandoned by the manufacturer or importer.

(b) In this section "brand" and "brand label" include trademarks and designs used in
connection with labels.

(c) The label of any brand of wine, distilled spirits, or intoxicating or nonintoxicating
malt beverage may be registered only by the brand owner or authorized agent. No such
brand may be imported into the state for sale without the consent of the brand owner or
authorized agent. This section does not limit the provisions of section 340A.307.

(d) The commissioner shall refuse to register a malt liquor brand label, and shall
revoke the registration of a malt liquor brand label already registered, if the brand label
states or implies in a false or misleading manner a connection with an actual living or dead
American Indian leader. This paragraph does not apply to a brand label registered for the
first time in Minnesota before January 1, 1992.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.