

Thursday February 15th, 2018

Members of the Legislative Assembly of British Columbia

With a stroke of her pen Premier Notley has taken away from the people of her province their right to choose what products to buy. This arbitrary political decision to restrict imports penalizes both the people who have worked so hard to create British Columbia's world class wine industry and Albertans by restricting consumer choice. This restriction of consumer choice will surely cause tremendous financial hardship to both Alberta and British Columbia business owners and their employees.

Domestically, British Columbia's hospitality industry is in a similar predicament. The Liquor Control and Licensing Branch has arbitrarily restricted the ability of restaurants and bars to purchase the full range of products they wish to carry by forcing them to purchase all liquor product only from the limited stock of the B.C. Liquor Distribution Branch retail stores. Our province has an incredible world class dining scene, but our drinks and cocktail programs suffer due to this archaic policy of restricting choice. We have never been given a proper and mindful answer for this policy.

In order for our restaurants and bars to compete on a world class level we need choice. The current model does not allow for our industry to compete globally due to lack of choice and availability. Import agents in our province import a vast array of world class products and ingredients but most are not available for purchase by our bars and restaurants.

In reaction to recent events and in fear of government enforcement, restaurateurs and bartenders across the province are scrambling to remove beer, wine, and spirits from their shelves and menus that were bought from provincially licensed private retailers. The hospitality industry purchases products from private stores because those stores offer access to a broad selection of specialty products not carried by the Liquor Distribution Branch, and available in quantities less than a full case. Our industry's sophisticated customers demand quality and choice and, as a result of the liquor control branch's arbitrary policy, the hospitality industry is struggling to provide that choice.

The restriction placed on licensee to licensee sales is not enshrined in law. Rather, it is entirely created by a policy of the liquor control and licensing branch. This is a policy that can be changed today with the stroke of a pen, giving all British Columbians the right to choose. Such a change could even help our beleaguered wine industry as smaller establishments will not be required to purchase BC wines by the case, but could purchase smaller quantities from private stores. We anticipate that some may argue that a restaurant or bar "can order the products through the government store". It is possible to order some specialty products through government stores, but they must be ordered by the case and government stores cannot process orders above a certain size. Moreover, it can take weeks for specialty products to arrive, not to mention the incredible cost of inventory. As an example, over 2 weeks ago we ordered a case of whisky that is readily available in the warehouse and at private retailers. That

same product is not currently available at government stores and the ordering process is extremely delayed (and we often end up with the wrong product in the end). How can any business operate this way?

To highlight the arbitrariness of this policy, we point to another, contradictory, liquor control branch policy. Our guests are allowed to bring their own wine into our licensed establishments, pay a corkage fee, and have our staff serve the liquor to them. What's strange about this policy is that the wine can come from anywhere in the world with no provincial taxes paid. On the other hand, licensed establishments can only sell products purchased from government liquor stores. There is no policy rationale that can legitimately connect these two contradictory policies.

Two weeks ago, we sent the attached letter to Attorney General David Eby and cc'd, at his request, our MLA Shane Simpson. We have yet to hear a reply from either party or their staff. Thus, we felt it was time to share this letter with the rest of the Members of British Columbia's Legislative Assembly. There is no intent to embarrass our MLA or the Attorney General, but this issue needs to be addressed. We understand that these are busy times in government but this pressing issue negatively affects an entire business sector and puts jobs at risk.

Because the policy restricting licensee to licensee sales is not required by law, with a stroke of a pen our government can provide choice for all consumers.

The right to choose freely within a marketplace is enshrined in our society and culture. No one person or government should have the power to impede that right for purely arbitrary reasons. Please read the attached letter. It's time for an open and honest discussion about choice. At the very least British Columbians deserve an answer to this simple question: why can't bars and restaurants in our province buy from licensed retailers?

Thank you for your time.

Allura & Eric Fergie, proprietors
Fets Whisky Kitchen

