

INTOXICATING LIQUOR: The Liquor Control Act does not prohibit the sale of set-ups.

7-17
July 16, 1935.

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Honorable Elliott M. Dampf
Prosecuting Attorney
Cole County
Jefferson City, Missouri

Dear Sir:

This will acknowledge receipt of your request for an opinion, which reads as follows:

"Will you kindly advise the undersigned if it is a violation of the law for a person holding a 5% beer license to serve set-ups on the premises used for selling 5% beer."

There is no provision under the Liquor Control Act prohibiting the serving of set-ups on the premises covered by licenses to sell malt liquor not in excess of 5% by weight. However, the Supervisor of Liquor Control may, under the Act, make rules and regulations governing the sale of set-ups used in the preparation of drinks.

It is the opinion of this Department that it would not be a violation of the Liquor Control Act for a person to serve set-ups on the premises licensed for the sale of 5% beer.

Respectfully submitted .

APPROVED:

RUSSELL C. STONE
Assistant Attorney General.

ROY McKITTRICK
Attorney General.

RCS:H