

## “Happy Hour” Regulation

### 204-4.03: Certain Practices Prohibited

- (1) No licensee or employee or agent of a licensee shall:
  - (a) offer or deliver any free drinks to any person or group of persons;
  - (b) deliver more than two drinks to one person at one time
  - (c) sell, offer to sell or deliver to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions not open to the public;
  - (d) sell, offer to sell or deliver to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public;
  - (e) sell, offer to sell or deliver drinks to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the public;
  - (f) sell, offer to sell or deliver malt beverages or mixed drinks by the pitcher except to two or more persons at any one time;
  - (g) increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week;
  - (h) encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes.
- (2) No licensee shall advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under 204 CMR 4.03.

A drink cannot be given away for free and if the license holder wants to have a drink special, they must hold price for 7 calendar days. The amount of alcohol cannot increase without corresponding increase in price. ***There is no prohibition to offering a meal package. For example “a burger and a beer during Sox games”.***