

How Mystery Shopping Programs Improve Compliance with Underage Drinking Laws

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Alcoholic beverages are a profit center for restaurants and retail outlets. However, the penalties for getting caught selling or providing alcoholic beverages to underage customers can negatively impact the business's bottom line. That's why restaurants and retail outlets must take proactive steps to avoid selling or providing alcohol to underage customers. In addition to training, one of the most proactive steps is using the services of a secret shopper company. This white paper reviews the laws relating to underage drinking and demonstrates that a secret shopper program is one of the best ways to mitigate the serious penalties associated with violating those laws.

What are the Underage Drinking Laws?

Every state has underage drinking laws. That's because the 1984 National Minimum Drinking Age Act requires that States prohibit persons under 21 years of age from purchasing or publicly possessing alcoholic beverages as a condition of receiving State highway funds.

The Alcoholic Beverage Control agency in each state enforces that state's laws regarding alcohol sales and consumption. And, all states require that individuals must be at least 21 years of age before they can legally purchase or consume alcohol.

The law is enforced in two distinct ways. The Alcoholic Beverage Control agency in a state sends out underage decoys to purchase alcohol at targeted restaurants and retail outlets. If alcohol is sold to the underage decoy, the person selling the alcohol may be prosecuted for violating the law. Also, the establishment may be subject to a range of administrative penalties.

Why Can't our Staff Just Guess a Person's Age?

Mistaking the age of the purchaser of alcohol is also a violation of the law. To avoid violating the law, many restaurants and retail outlets instruct their employees to check the ID of anyone who appears to be under the age of 35 as a matter of company policy. Because it is difficult to guess someone's age, the age limit is set high to provide restaurant servers and retail cashiers with a wide margin of error.

What are the Penalties for Violating Drinking-Age Laws?

While the penalty for restaurants and retail outlets for selling to underage individuals varies from state to state, the accompanying punishment may include a fine and, in the case of chronic offenses, the revocation of the business's liquor license. In California, for instance, even a first-time offense can result in a fine of \$750 to \$6,000.

How can Mystery Shopping Help with Age Compliance?

Age compliance reporting from a mystery shopping program is a valuable tool for any business that sells alcoholic beverages, or any other age restricted products. In addition to general service information, the reports that come directly from mystery shop providers give insightful feedback that allows businesses to keep a watchful eye on drinking-age policy violations by their employees.

Best practices for retail outlets include a monthly mystery shop. During the shop, mystery shoppers between the ages of 21 and 30 are directed to purchase an alcoholic beverage. Later, they are asked to report whether they were asked for an ID to verify their age.

Similarly, best practices for restaurants include a monthly mystery shop. The mystery shopper, between the ages of 21 and 30, has instructions to order an alcoholic beverage whether they drink it or not. When completing their mystery shop report, the shoppers answer a simple yes or no question regarding whether they were asked for an ID to verify their age.

Why Should we Consider Mystery Shopping for Alcoholic Beverages?

The sale of alcohol to individuals who are under the legal drinking age is a serious matter, and one in which restaurants and retail outlets cannot ignore. Smart, pro-active companies retain an ongoing mystery shopping program that provides them with the advantage of showing that they are doing all they can to train their staff and mitigate possible infractions.