

TITLE 4. ARTICLE 25 RESPONSIBLE BEVERAGE SERVICE TRAINING PROGRAM. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL PROPOSED REGULATIONS

Text proposed for adoption.

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§165.1 Curriculum Requirements for How to Prevent or Protect a Person from Drink Spiking

Curriculum required in an approved training provider program pursuant to section 25681(f)(1)(A) of the Business and Professions Code shall include all the following:

- (a) Methods of creating a safe environment.
 - (1) Staff to observe patrons and report behavior indicating drink spiking to managers.
 - (2) Knowledge and enforcement of capacity limits and creation of a crowd control plan for the licensed premises.
 - (3) Establish policies or procedures to prevent drink spiking in alcohol drinks served.
 - (A) Drink lids being available by request pursuant to Business and Professions Code section 25625 in a Type 48 licensed premises.
 - (B) Develop testing kit policies and trainings to ensure the use, reading, and understanding of the testing kits in use at the licensed premises by employees of the licensee.
 - (i) Type 48 licensees are required to comply with Section 25624 by posting signs notifying customers about the availability of drink spike testing kits and providing testing kits upon request. Other licensees are not required to post but may institute similar policies.
 - (ii) Drug testing devices most commonly test for ketamine and gamma-hydroxybutyric acid (GHB) flunitrazepam and may include but are not limited to test strips, stickers, and straws.
 - (C) Develop policies and trainings for employees of the licensed premises on how to handle unattended drinks.

(b) Best practices on how to recognize drink spiking, which includes observation of the following by persons required to obtain an alcohol server certification

- 1) Person appears intoxicated after ingesting little or no alcohol at all.
- 2) Complaints about the strength of the alcoholic beverage drinks being served.
- 3) Dizziness or nausea.
- 4) Sudden loss of bladder or bowel control.
- 5) Sudden body temperature changes.

Authority cited: Section 22, Article XX, California Constitution, Sections 25681(a), (f), 25685(a) Business and Professions Code. Reference: Section 25680(c)(1), Business and Professions Code.

§165.2 Curriculum Requirements for Responding if the Person Believes They Have or Someone They Know Has Been Drugged as a Result of Drink Spiking

Curriculum required in an approved training provider program pursuant to section 25681(f)(1)(B) of the Business and Professions Code shall include all the following:

(a) Methods of responding if person believes they have or someone they know has been drugged because of drink spiking, including but not limited to

- (1) Bring the victim somewhere safe and always keep a staff member with them.
- (2) Call emergency services.
- (3) Keep talking to the potential victim to reassure them.
- (4) Attempt to locate the alleged perpetrator and keep eyes on them.
- (5) If possible, preserve the drink in question for testing.

(b) Establishing the policy to train employees of the licensee to identify common responses to trauma.

Authority cited: Section 22, Article XX, California Constitution, Sections 25681(a), (f), 25685(a) Business and Professions Code. Reference: Section 25680(c)(1).