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## Inventory of the Dept. of Alcoholic Beverage Control. Alcoholic Beverage Control Appeals Board Records

### Inventory: F3718

California State Archives  
Office of the Secretary of State  
Sacramento, California

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#### Descriptive Summary

**Title:** Dept. of Alcoholic Beverage Control. Alcoholic Beverage Control Appeals Board Records

**Inventory:** F3718

**Creator:** Dept. of Alcoholic Beverage Control. Alcoholic Beverage Control Appeals Board

**Extent:** [See Arrangement and Description](#)

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#### Agency History

The Department of Alcoholic Beverage Control (A.B.C.) was created by Constitutional Amendment ( *Stats.* 1954, 1st. Ex. Sess., ch. 20, p. 274. Effective July 1, 1954, operative Jan. 1, 1955; Const. Art. XX, Section 22, as amended Nov. 2, 1954) taking over the functions of liquor licensing and compliance which were formerly under the jurisdiction of the State Board of Equalization. The Governor appoints the Director of the Department, subject to confirmation by the State Senate.

Liquor control in the State is provided by the Department through the licensing and regulation of the manufacture, importation, and sale of alcoholic beverages. The Department investigates proposed licensed premises and the area surrounding it; investigates license applicants' background and record; determines the true ownership of the proposed licensed premises and collects license fees. The compliance function

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entails the detection, investigation and prevention of violations under the Alcoholic Beverage Control Act. The department directs major attention toward prevention of sales to minors and intoxicated persons, elimination of police problems and disorderly premises, advertising practices and fair trade practices. The Department maintains close relationships with local police departments and other regulatory agencies. The Alcoholic Beverage Control Board, a separate agency consisting of three members appointed by the Governor, was created by Constitutional Amendment ( *Stats.* 1954, 1st. Ex. Sess., ch. 20, p. 275. Effective July 1, 1954, operative Jan. 1, 1955; Const. Art. XX, Section 22, as amended Nov. 2, 1954). The Board reviews A.B.C. Department decisions involving the revocation, suspension or denial of licenses. Review by the Board is limited to questions of the Departments jurisdiction, whether the Department proceeded in a manner prescribed by law, whether its decision was supported by the findings, whether the findings were supported by the record as a whole and whether relevant evidence was excluded.

From 1933 until 1955, the State Board of Equalizations Alcoholic Beverage Control Division was the overseer of the licensing and regulation of the liquor industry (Const. Art. XX, Section 22, as amended Nov. 8, 1932. Effective Dec. 19, 1932). When an amendment to the Volstead Act, the federal legislation implementing the prohibition of liquor, permitted the return of 3.2 beer, the California legislature provided for the licensing of manufacturers and importors of the beverage ( *Stats.* 1933, ch. 178, p. 626. Effective April 27, 1933). Another act passed in the same session established a more comprehensive licensing system in anticipation of the repeal of Prohibition ( *Stats.* 1933, ch. 658, p. 1697. Effective upon repeal of Prohibition [Dec. 5, 1933]). The Board's exclusive powers to license the manufacture, importation and sale of intoxicating beverage in the State were by Constitutional Amendment (Const. Art. XX, Section 22, as amended Nov. 6, 1934).

Many records of the Board of Equalizations Alcoholic Beverage Control Division are included in this record group because the Department of Alcoholic Beverage Control made them part of their records. The records of the two agencies are difficult to separate without fragmenting the records and destroying their integrity.

**Records of the Department of Alcoholic Beverage Control (A.B.C.)**

**1. ALCOHOLIC BEVERAGE CONTROL - Public Correspondence. 1951-1973. F3718:1-153.**

**Physical Description:** 2 cf.

**Scope and Content Note**

**Arrangement**

Arranged chronologically and alphabetically by letter thereunder.

Letters received and copies of letters sent, memoranda, telegrams, minutes of meetings relating to the day-to-day activities of the Department. Correspondence with the general public, which has been sampled and letters H and S retained, includes requests for licensing information, complaints about alleged violations by licensee, referrals to and from other agencies ie, to the Board of Equalization about tax matters, requests by salvage companies to sell damaged goods.

**2. ALCOHOLIC BEVERAGE CONTROL - Area, District and Branch Offices Correspondence. 1951-1973.**

F3718:154-234

**Physical Description:** 4 cf.

**Scope and Content Note**

Correspondence with area, district or branch offices includes bulletins explaining policies, reports of enforcement activities, minutes of staff meetings, field reports by enforcement officers, suggestions for improvement of operations, reports of training activities.

**3. ALCOHOLIC BEVERAGE CONTROL - Correspondence with other state agencies. 1951-1973. F3718:235-247**

**Physical Description:** 1 cf.

**Scope and Content Note**

Includes material in A.B.C.'s role in civil defense or disaster plans, referrals from the Governor's Office for answer to citizen's complaints, minutes of meetings of the Governors Council on Alcohol Problems (1966-1968), Attorney General's opinions concerning department rules, reports to the Department of Motor Vehicles concerning fake or altered driver's licenses.

**4. ALCOHOLIC BEVERAGE CONTROL - Advertising Practices. 1941-1958. F3718:248-278**

**Physical Description:** 1 cf.

**Scope and Content Note**

**Arrangement**

Arranged chronologically.

Letters received and copies of letters sent to advertising agencies, distributors and manufacturers concerning the legality of proposed newspaper ads, display cases, novelties (ie, napkins, matches and bottle-openers, signs, and other advertising schemes).

**5. ALCOHOLIC BEVERAGE CONTROL - Subject Files. 1938-1970. F3718:279-374.**

**Physical Description:** 3 cf.

**Scope and Content Note**

**Arrangement**

Arranged alphabetically by subject and chronologically thereunder.

Letters received and copies of letters sent, legal briefs, memoranda, reports including material concerning the reinstatement of licenses confiscated from persons of Japanese ancestry during World War II (1951-1959); the importation of alcoholic beverages into California; minutes of meetings of the Senior Armed Forces Disciplinary Control Board in San Francisco concerning placing of premises off-limits; fingerprinting procedures; the seizure of illicit stills and the problems of identification cards for non-drivers.

**6. ALCOHOLIC BEVERAGE CONTROL - Photographs. 1938-1970. F3718:375**

**Physical Description:** 3 items.

**Scope and Content Note**

Includes one black and white photographic print, 4x5, showing the destruction of seized liquor in the Stockton District, July 13, 1938; one black and white photographic print, 4x5, showing a seized illicit still, Feb. 23, 1939; and one black and white photographic print showing Department Director Edward J. Kirby and Assistant Director John J. Canny publicizing a new program of prevention of sales to minors, 1970.

**Records of the Alcoholic Beverage Control Appeals Board**

**1. ALCOHOLIC BEVERAGE CONTROL APPEALS BOARD - Case Files. 1954-1970. F3718:376-464a**

**Physical Description:** 5 cf.

**Scope and Content Note**

**Arrangement**

Arranged numerically by case number.

Records of cases appealed from the Department of Alcoholic Beverage Control to the Alcoholic Beverage Control Appeals Board, involving revocation, suspension or denial of licenses. Cases include protests by citizens groups about distances from schools and churches, accusations involving prostitutes, transvestites and narcotics sales and suspensions for sales to minors. Includes reporter's transcripts, briefs, petitions, exhibits and correspondence.