

## Bill 120

I would like to start by thanking the Committee for allowing me to speak today.

My name is Ross Harrington. I own a small business in Halifax.

In business I sell grape concentrate kits so that customers can make their own wine. Wine kits have been a readily available product for more than 40 years in this province. I also offer in-store winery service for customers that would prefer not to, or cannot make the wine at home.

This brings us to Bill 120. On November 29<sup>th</sup> the Government introduced a bill that would “enhance” the powers of the NSLC to enforce regulations. That begs the question, “why does the

NSLC need more power”? The story behind Bill 120 is a long one but I will be as brief and succinct as possible.

Moments ago I spoke of in-store winery service. This is a common practice across Canada, most notably in our neighbouring provinces of New Brunswick and Prince Edward Island. For years potential customers would enter my store and request said service. I would say no it was currently not available in Nova Scotia. I and other retailers like me questioned government officials about in-store winery and we were never given a reasonable answer. I was becoming frustrated by having to turn away customers that were willing to pay for a service they could obtain in New Brunswick and other provinces. In 2006 I started offering the service. A competitor complained to the NSLC that I possessed an unfair advantage because of in-store winery service. At the behest of

the NSLC the Halifax Regional Police conducted an undercover sting operation which resulted in three charges; 1) Keeping Liquor for Sale, 2) Manufacture and keep liquor, 3) Use of premises for storage of liquor.

I stopped offering the service and went to court. I was found not guilty of the second and third charges but guilty of keeping liquor for sale because the Judge deemed a grape concentrate kit to be liquor by the LCA definition. Our industry requested the definition be changed to exclude our products but instead the NSLC issued a pseudo license to allow us to keep selling. Of course, the license came with conditions. I have an issue with one retailer issuing licenses to another retailer. After 5 years of writing letters the respective Premiers and Ministers with no progress made, I started offering the service again. As the NSLC was unable to stop me and other retailers from providing this

service, the NSLC has chosen to have the Minister introduce a Bill that will empower them to act like police.

If this Bill passes the House then the NSLC can rewrite the regulations behind closed doors to meet their needs. Suddenly the rules have changed again without due process. Where will it end?

I am at a loss as to why the NSLC is threatened by me and my industry. We are small business. We compete with others in our industry, big box stores like Costco and value retailers such as Giant Tiger, not the NSLC. They retail alcoholic beverages as we sell grape concentrate and juice. We sell a hobby and provide a service. Bear in mind that not all wine kit sellers want

to provide in store winery service and stay strictly retail, but that is their choice.

Does the NSLC believe that I am stealing sales from them? If so, it is obvious that they do not understand the marketplace very well. How often does someone inquire if they can make wine at the NSLC? Is the NSLC in the grape concentrate kit business?

They do not want Nova Scotian wine drinkers spending their money in my store they would prefer it spent at the NSLC. That is understandable as they are a retailer.

In reality, when a competitor has an advantage, a company will set new goals, sharpen their pencil, become more efficient, and compete. In the vacuum that is the NSLC's world, they simply ask the Government to move the goal posts so that they can regulate success through an abuse of power.

If I compare my annual sales to the NSLC, I amount to a mere 5 one-hundredths of one percent. In other terms, I would have to work almost 500 years to match the sales of their last fiscal quarter. I am not a threat.

In the NSLC annual report they speak of ethical and sustainable business practices. I see nothing ethical about attempting to change the LCA to further their agenda at the expense of small business. They will claim that it is for public safety<sup>\*</sup>, which is not true; they simply want close all venues of competition. I am that competition in their collective mind. Also, in the Annual report they speak to their mission: "To become recognized as a superb retailer know for business performance". I applaud them for wanting to be the best, but not by subverting the process of democracy.

Being a small business owner was my choice, but it is not always easy. We hear the Government expound on how small business is the backbone of our economy and how they are always helping small business. The TV ads say what a wonderful place Nova Scotia is to do business. Well now it the time to prove it. Support us by not allowing a monolithic institution like the NSLC squash small business. This store is my life; it is how I provide for my family. I would like to know that my children can attend university without me worrying how to pay for it. I would like to sell a thriving business and retire on the proceeds. It is MY pension fund.

In closing, I hope you will share your findings with your peers in caucus. I understand that if every MLA votes along party lines

that this Bill will pass. If all MLAs were to poll only a handful of the electorate they would soon realize that what the NSLC wants is not what the people want. At the risk of sounding naïve, I still believe in democracy. I need not remind you that when you chose a career in public service you promised to do what is best for your constituents and for all Nova Scotians. At the time of the vote, ask yourself, what would Joe Howe do?

Thank you for your time. Are there any questions?