

REGULATIONS FOR SPECIFIC PRODUCTS

SELLING WINE, BEER, HARD CIDER AND DISTILLED SPIRITS



One of the most regulated types of food businesses are those that produce and/or sell alcoholic beverages. Federal, state, and local laws apply.

This fact sheet includes information on:

- Federal basic permit.
- State and local regulations.
- Requirements for selling at farmers markets.

Federal Basic Permit

According to federal law, every brewery, winery (which includes cider and sake), kombucha, and distilled spirits facility must have a federal basic permit for alcohol producers and manufacturers from the U.S. Department of the Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB). The TTB website provides information and explains requirements for beverage alcohol, including beer, wine, cider, kombucha, and distilled spirits production, in addition to labeling and tax regulations. Complete information and applications for the federal basic permit are available at ttb.gov.

Once an application has been completed and approved, the TTB will inspect the facility. When the facility passes inspection, an appropriate permit (license to manufacture or to sell alcohol) will be issued.

A final inspection of the building structure is conducted by the local Washington State Liquor and Cannabis Board (WSLCB) liquor enforcement officer before the license is issued.

State and Local Regulations

Washington State licensing regulations for wineries, breweries, and distilleries all fall under "Alcoholic Beverage Control." Hard cider is classified as a wine in Washington.

WSLCB's Manufacturers, Importers, and Wholesalers (MIW) Section enforces state liquor laws and administrative rules that apply to breweries, wineries, and distilled spirits manufacturers.

If you produce only alcohol-containing beverages, and no other food or beverage products, licensing for your facility is through WSLCB. WSLCB requires that WSDA Food Processor License standards be maintained. However, if you process or manufacture a non-alcoholic beverage or other food products in addition to alcoholic beverages, a WSDA Food Processor License is required as well as the WSLCB license.

The building structure and permit(s) are subject to approval by the local municipality and/or county in addition to approval by WSLCB.

To learn more about the licenses available, particularly the Domestic Winery, Distillery, Craft Distillery or Microbrewery License, go to the licensing services section of the WSLCB website, lcb.wa.gov and click on "Apply for a Liquor License." Select the "Non-Retail Liquor License descriptions and fees" section.

A Washington State Business License is required before obtaining a liquor license. Liquor licenses are an endorsement to the state business license. Find the application in the liquor licenses section at: bls.dor.wa.gov. Licenses range from \$75 to \$2,000 depending on the size and nature of the operation.

Requirements for Selling at Farmers Markets

Washington State wineries, breweries and distilleries may sell bottled wine, hard cider, beer, and distilled spirits in unopened bottles at authorized farmers markets. Washington State wineries and breweries may provide samples to customers at an authorized farmers market. Wine sold at these farmers markets must be made entirely from grapes grown in a recognized Washington appellation or from other agricultural products grown in the state. Beer and spirits must be produced in Washington.

Vending rules

To sell at a farmers market, the winery, brewery or distillery vendor, as well as the qualifying farmers market, must apply for approval through WSLCB at least 50 days before any sale of alcohol.

REGULATIONS FOR SPECIFIC PRODUCTS

✓ The vendor must have a valid liquor license from WSLCB, and must submit an “Application for Added Endorsement,” which is \$75 per year. The added endorsement requires a list of the markets where products will be sold for the following month, including the dates and times products will be sold. This endorsement allows selling of bottled beer, wine, or distilled spirits for off-premises consumption and sampling of beer or wine at a qualified farmers market.

✓ Additionally, the farmers market must submit an “Application for Farmers Market Authorization to Allow the Sale of Bottled Wine, Beer or Spirits.” A renewal authorization, called the “Continued Qualification Checklist,” is sent by WSLCB in the mail by May 15 of each year. The market manager has 45 days to renew before the previous authorization expires on June 30 of each year.

Find both of the applications on the licensing section of the WSLCB website, lcb.wa.gov. Click on “Application for Special Permits” and then on “Farmers Markets.”

Sampling rules

Vendors licensed to sell wine or beer, and farmers markets in Washington State, may sample at farmers markets, only under the following conditions:

- No more than three wineries or microbreweries combined may offer samples at a qualifying farmers market per day.
- Samples must be two ounces or less; a winery or microbrewery may provide a maximum of two ounces of wine or beer to a customer per day.
- Customers must remain at the designated booth, stall, or other designated location while sampling beer or wine.
- Winery and microbrewery licensees and employees who are involved in sampling activities under this section must hold a class 12 or class 13 alcohol server permit.
- A winery or microbrewery must have food available for customers to consume while sampling beer or wine, or must be adjacent to a vendor offering prepared food.

Sampling of distilled spirits is not allowed at farmers markets in Washington.

Alcoholic beverages sold at farmers markets that are members of the Washington State Farmers Market Association (WSFMA) must be made entirely from Washington-grown ingredients, or from grapes grown in a recognized Washington appellation, except for certain additives required for processing, not amounting to more than 5 percent of the total volume. Find details by searching for “Roots Guidelines” at wafarmersmarkets.org. The WSFMA website also includes a listing of member markets.

Shipping wine and online sales

Most states allow some direct shipment of alcohol to customers. However, the specific regulations vary by state. It is important to understand the rules in the state you will ship to before making any sales. Find an overview in the “Selling Online: E-commerce” fact sheet.

For more information on selling wine, beer and/or spirits at farmers markets, requirements for qualifying farmers markets, and the details on direct shipping laws, visit lcb.wa.gov, or call the Liquor and Cannabis Board’s Licensing Services at 360-664-1600.



5. Licensing

13. Selling Online: E-commerce

23. WSDA Food Processor License and Facilities