



Regulations for Specific Products

Selling Wine, Beer, Hard Cider and Distilled Spirits

41

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:

- Federal Basic Permit;
- State and local regulations; and
- Requirements for selling at farmers markets.

Federal Basic Permit

According to federal law, every brewery, winery (legally including cideries), and distilled spirits plant must have a Federal Basic Permit from the U.S. Department of the Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB). The TTB website displays requirements for beer, wine, and distilled spirits production in addition to labeling, and tax regulations. Visit www.ttb.gov for complete information and applications for the Federal Basic Permit.

Once an application has been completed and approved, the TTB will inspect the facility. When the facility passes inspection, an appropriate permit (i.e., license to manufacture or wine seller's license) will be issued.

State and Local Regulations

Washington State licensing regulations for wineries, breweries and distilleries fall under "Alcoholic Beverage Control," RCW Title 66. Hard cider is classified as a wine in Washington.

The Manufacturers, Importers, and Distributors section of the Washington State Liquor Control Board (WSLCB) enforces state liquor laws and administrative rules applicable to breweries, wineries, and spirituous liquor manufacturers. If you want to produce only alcohol-containing beverages, licensing for your facility is through the WSLCB. The WSLCB requires that WSDA Food Processor License standards be maintained. If you process or manufacture a non-alcoholic beverage or other food products in addition to alcoholic beverages, then a WSDA Food Processor License is required as well as the WSLCB license. Also, the building structure and license(s) are subject to approval by the local municipality or county executive in addition to approval of the WSLCB.

To learn more about the licenses available and particularly the Domestic Winery, Craft Distillery or Microbrewery License, go to the WSLCB Web site at www.lcb.wa.gov/licensing/apply-liquor-license%20 and click on the "Non-Retail Liquor License descriptions and fees" section.

A Master Business License is required before obtaining a liquor license. And liquor licenses are addendums to a master business license. To apply, visit www.bls.dor.wa.gov/liquor.aspx the Business Licensing Service and go to the liquor licenses section. 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 and breweries are able to sell and sample bottled wine, hard cider and beer at authorized farmers markets. 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 must be produced in Washington.

Sampling Rules

In 2012, Senate Bill 5674 was signed making it legal to offer wine or beer samples at farmers markets in Washington State. Samples may be offered 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.
- A winery or microbrewery may advertise that it offers samples only at its designated booth, stall, or other designated location at the farmers market.
- 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.

Both the qualifying farmers market and the winery or brewery must apply for approval through the WSLCB. The winery or brewery must submit an “Application for Added Endorsement” and the farmers market must submit an “Application for Farmers Market Authorization to Allow the Sale and Sampling of Bottled Wine and/or Beer.”

The WSLCB requires that the farmers markets, wineries and microbreweries must be located in Washington State. The winery or brewery must have a valid domestic winery or brewery license, and must obtain a WSLCB “Application for Added Endorsement” for \$75 per year available at: <http://lcb.wa.gov/licensing/farmers-markets>.

This added endorsement requires that the business provide WSLCB a list of the markets where their products will be sold for the following month with the dates and times product will be sold. This endorsement allows sampling and selling bottled beer or wine for off-premises consumption.

Farmers Markets can apply to sell bottled wine and beer meeting the legal requirements by completing the new “Application for Farmers Market to Allow the Sale and Sampling of Bottled Wine and/or Beer” available at www.lcb.wa.gov/licensing/farmers-markets.

Alcoholic beverages sold at farmers markets that are members of the Washington State Farmers Market Association (WSFMA) must be produced from 95% Washington grown ingredients. For more information on WSFMA's rule visit their website at www.wafarmersmarkets.com and search for "Roots Guidelines."

For more information on selling wine or beer at farmers markets, and requirements for qualifying farmers markets, www.lcb.wa.gov/licensing/farmers-markets, or call the Liquor Control Board's Licensing Division at (360) 664-1600.

Recommended Fact Sheets

4. Licensing

19. WSDA Food Processor License and Facilities

For further information, to provide comments, or suggest a resource to add to this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2888.