

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 covers:

- Federal Basic Permit;
- state and local regulations; and
- requirements for selling at farmers markets.

Federal Basic Permit

According to federal law, every brewery, winery, 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. Complete information and applications for the Federal Basic Permit are available at www.ttb.gov.

Once an application packet has been completed, returned, 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.

In addition, the building structure and license(s) are subject to approval by the local municipality or county executive in addition to approval of the WS Liquor Control Board.

To get a WSLCB "Domestic Winery or Microbrewery License," go to the WSLCB Web site at http://liq.wa.gov/publications/masterapp_nonretail.aspx. Look in the "A Non-Retail Liquor License" section.

Licenses range from \$75.00 to \$2,000 depending on the size and nature of the operation. A Master Business License is required before obtaining a liquor license.

Requirements for Selling at Farmers Markets

As of July 2003, Washington State wineries and breweries are able to sell bottled wine and beer at qualifying farmers markets (RCW 66.24.240, 66.24.244, and 66.24.170). Qualifying farmers markets must have at least five participating farmer vendors selling their own agricultural products.

Wine sold at qualifying 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.

Once qualified, a farmers market will no longer be able to obtain a special occasion license that allows for beer/wine consumption at the market.

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 to Allow the Sale of Bottled Wine and/or Beer.” Complete details follow.

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 \$75.00 per year available at: <http://liq.wa.gov/publications/LIQ756-Appl-for-Added-Endorsement.pdf>

This added endorsement requires that the business provide WSLCB a list of the markets that products will be sold at for the following month. This must include dates and times product will be sold. This endorsement allows to-go sales only; tasting and samples are not allowed.

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 of Bottled Wine and/or Beer” available at <http://liq.wa.gov/publications/LIQ127.pdf>.

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.

For more information on selling wine or beer at farmers markets, and requirements for qualifying farmers markets, see the WSLCB Fact Sheet “Selling Wine and Beer at Farmers Markets” available at <http://liq.wa.gov/publications/BeerWineFarmersMarkets.pdf>, or call the Liquor Control Board’s Licensing Division at (360) 664-1600.

Recommended Fact Sheets: Food Processing, Licensing

For further assistance or to make suggestions on how to improve this fact sheet, please email smallfarms@agr.wa.gov or call (360) 902-2057 or (360) 676-2059.