

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

Mark Martin

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

www.sos.arkansas.gov



For Office
Use Only:

Effective Date _____ Code Number _____

Name of Agency Alcoholic Beverage Control Division

Department Department of Finance and Administration

Contact Milton Lueken E-mail milton.lueken@dfa.arkansas.gov Phone (501) 682-1105

Statutory Authority for Promulgating Rules Ark. Code Ann. Section 3-2-206

Rule Title: Amendment to Section 2.58

Intended Effective Date
(Check One)

Date

<input type="checkbox"/> Emergency (ACA 25-15-204)	Legal Notice Published	<u>08/13,14,15/15</u>
<input checked="" type="checkbox"/> 10 Days After Filing (ACA 25-15-204)	Final Date for Public Comment	<u>09/16/15</u>
<input type="checkbox"/> Other _____ (Must be more than 10 days after filing date.)	Reviewed by Legislative Council	<u>01/12/16</u>
	Adopted by State Agency	<u>09/16/15</u>

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Karen Blagg karen.blagg@dfa.arkansas.gov 01/12/2016
Contact Person E-mail Address Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-1105 bud.roberts.dfa.arkansas.gov
Phone Number E-mail Address

Alcoholic Beverage Control Director
Title

January 13, 2016
Date

Section 2.58 Disposition of Microbrewery Products. A microbrewery-restaurant operation shall be allowed to dispose or sell the products that it brews by the following methods:

- (1) A permittee may sell beer or malt beverages in draft form at the restaurant for on premises consumption only;
- (2) The permittee may can or bottle beer or malt beverage products and may sell those products in brewery-sealed packages at retail to the customer for consumption off the premises;
- (3) The permittee may distribute beer and malt beverage products to charities and non-profit corporations on the same basis as a manufacturer under the provisions of Section 2.28(6) of these Regulations or the microbrewery-restaurant may sell for resale the products that it manufactures to charitable or non-profit organizations holding valid "special-event" permits as provided for by the Alcoholic Beverage Control Division, except they may not sell to non-profit organizations holding private club licenses except as provided in Subparagraph number 4 of this Section. The sale of said products shall be limited to the duration of the particular "special event" permitted activity;
- (4) The permittee may sell at retail by the drink or by the package products produced on the premises of the microbrewery-restaurant at fairs and food and beer festivals, with the permission and the consent of the management of events.
- (5) The permittee may sell beer, malt beverages, and hard cider of its own manufacture to a wholesaler dealer licensed by this state for the purpose of resale to other retail license holders as set forth by ACA 3-4-605 and ACA 3-5-101, dealing with wholesale distribution of beer, malt beverage, and hard cider.