

ARKANSAS REGISTER

Transmittal Sheet

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



Secretary of State

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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: New regulation Section 2.65

Intended Effective Date
(Check One)

Date

Emergency (ACA 25-15-204)

Legal Notice Published

08/13,14,15/15

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment

09/16/15

Other _____
(Must be more than 10 days after filing date.)

Reviewed by Legislative Council

01/12/16

Adopted by State Agency

09/16/15

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 _____
Phone Number E-mail Address bud.roberts.dfa.arkansas.gov

Alcoholic Beverage Control Director _____
Title

January 13, 2016 _____
Date

Section 2.65 Disposition of Small Brewery Products. A small brewery operation shall be allowed to dispose or sell the products that it brews by the following methods:

- (1) The permittee may sell to wholesale dealers or to the consumer at the small brewery premises for consumption either on or off the premises brand name products of the licensed facility;
- (2) The permittee may sell and transport brewery products produced on the premises of the small brewery to retail license holders and small brewery license holders if the total production of the permitted brewery does not exceed fifteen thousand (15,000) barrels per year. A small brewery may distribute no more than fifteen thousand (15,000) barrels per year. If a small brewery wishes to distribute its products in this manner, the brewery shall obtain a small brewery wholesale permit;
- (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 small brewery at fairs and food and beer festivals, with the permission and the consent of the management of events.