



## Quick Guide: Breweries

A class B manufacturer's license is required to operate a brewery. The license permits the manufacturer to operate a facility that brews beer that can be sold to:

- Another alcoholic beverage licensee;
- An alcoholic beverage licensed dealer; or
- A consumer.

Products may be sold in barrels, kegs, cans, sealed bottles and growlers.

A brewery is permitted to sell and deliver beer brewed at the brewery for off-premise consumption between the hours of:

- 7 a.m.-midnight, Monday-Sunday (seven days a week)

Several types of permits are available to a brewery, which allow the manufacturer to expand their operations.

### **ON-SITE SALES AND CONSUMPTION PERMIT**

A brewery can apply for an on-site sales and consumption permit to use a portion of the licensed premises to sell, serve and allow the consumption of beer brewed at the brewery from:

- 8 a.m.-midnight, Monday-Sunday (seven days a week).

### **PRIVATE EVENTS**

A brewery that holds an on-site sales and consumption permit can sell and serve beer, wine and spirits at private events that are not open to the public for on-premises consumption. The beer, wine and spirits must be purchased from a licensed wholesaler or manufacturer.

### **TASTING PERMIT**

A brewery must obtain a tasting permit in order to provide samples of beer to customers at no cost. A tasting permit allows the brewery to utilize a portion of the licensed premises for the sampling of beer from:

- 8 a.m.-midnight, Monday-Sunday (seven days a week).

If a brewery has an on-site sales and consumption permit, the brewery is still required to obtain a tasting permit to provide samples of beer to customers at no cost.

## **SIDEWALK CAFÉ/SUMMER GARDEN ENDORSEMENTS**

A brewery can apply for a sidewalk café or summer garden endorsement if the manufacturer also holds an on-site sales and consumption permit. The endorsements permit a brewery to sell, serve and allow the consumption of alcoholic beverages on outdoor space. A sidewalk café endorsement would be issued for outdoor public space. A summer garden endorsement would be issued for outdoor private space.

A brewery is permitted to conduct business on a sidewalk café or summer garden from:

- 8 a.m.-midnight, Monday-Sunday (seven days a week).

## **ENTERTAINMENT ENDORSEMENT**

A brewery can apply for an entertainment endorsement if the manufacturer also holds an on-site sales and consumption permit. The endorsement permits a brewery to provide entertainment, charge a cover, or offer facilities for dancing. A brewery could apply for one, two or all three types of entertainment endorsements. Entertainment may be provided from:

- 8 a.m.-midnight, Monday-Sunday (seven days a week).

## **FEES**

Fees are as following:

- Annual licensing fee for a brewery is \$5,000.
- Annual fee for an on-site sales and consumption permit is \$1,000.
- Annual fee for a tasting permit is \$130.
- Annual fee for a sidewalk café or summer garden endorsement is \$75.
- Annual fee for an entertainment endorsement is 20 percent of the cost of the annual licensing fee.

## GROWLERS

Licensed breweries are permitted to sell beer in growlers. A growler is a reusable container that is capable of holding up to 64 fluid ounces of beer and is designed to be filled and sealed.

## FARMERS MARKETS

A brewery is permitted to conduct free tastings and to sell bottles or other closed containers of beer brewed by the brewery for off-premises consumption at a location holding a farmer's market license.

## POSTING NOTICES

An alcoholic beverage license must be framed under glass and made visible to the public. A licensee must post on the front window or front door of the licensed premises:

- Correct name(s) of the licensee(s); and
- Class and number of the license in plain and legible lettering not less than 1 inch or more than 1.25 inches in height.

The following sign must be posted on the licensed premises and made visible to the public. In addition, any manufacturer serving as a vendor at a farmer's market must post the following sign at their designated booth. The sign may not be covered or obscured.



## **OWNER, MANAGER REQUIREMENTS**

An owner or ABC manager is required to be on the premises during the approved licensed hours for sales of alcoholic beverages. A manager must obtain and carry a manager's license upon his or her person. Upon request, a manager's license must be shown to any:

- ABRA investigator
- Metropolitan Police Department (MPD) officer

## **BARTENDERS AND SERVERS**

Bartenders must be at least 21 years of age and servers must be at least 18 years of age.

Employees and agents of a manufacturer do not need Board approval to work or serve alcoholic beverages at a licensed establishment during an event promoting beer brewed by the brewery.

## **BACK-UP DRINKS**

If a customer has a partially consumed alcoholic beverage in front of them, another alcoholic beverage—or back-up drink—should not be served.

## **DONATIONS**

A manufacturer does not need Board approval to donate alcoholic beverages to the holders of a temporary license, festival license or a nonprofit organization that does not hold a District retailer's license.

## **ADVERTISEMENTS**

Alcoholic beverage advertisements can only be displayed in the window of a licensed establishment if the total area covered by the advertisements does not exceed 25 percent of the window space. Advertisements may only be posted on the interior of a window. Advertisements cannot be posted on the following:

- Exterior of any window;
- Exterior of any door; or
- Interior of any door.

Illuminated signs advertising alcoholic beverages during approved hours of sale are permitted; however, signs cannot contain intermittent flashes of light. Advertisements relating to the prices of alcoholic beverages may be displayed in an

establishment's window as long as the total area does not exceed 25 percent of window space.

## **BOARD APPROVAL**

Board approval is required for the following:

- Transfer of licenses;
- Change of corporate officer(s) or corporate structure;
- Trade name;
- Hours of operation or service for premises;
- Increase use of space;
- Storage facility; and
- Substantial change to an establishment.

## **COMPLIANCE CHECKS**

The law prohibits the sale of alcoholic beverages to individuals under the age of 21. In order to enforce this law, ABRA conducts compliance checks using underage individuals.

ABRA and the Metropolitan Police Department also have the right to check the IDs of customers both before and after purchases are made at an establishment.

Therefore, licensees and their staff must take reasonable steps to prevent the sale of alcoholic beverages to underage individuals.

## **REGULATORY INSPECTIONS**

A regulatory inspection is generally conducted a minimum of three times per year at each licensed establishment to ensure that a licensee is compliant with alcoholic beverage laws. A regulatory inspection may be conducted at any time during an establishment's hours of operation. If a licensed establishment is open, ABRA investigators must be allowed entry and provided with all requested information. Failure to comply may result in the revocation or suspension of a license.

## COMMON VIOLATIONS

- Sale to minors;
- Failure to post warning sign and other required notices;
- Failure to post and carry license(s) on premises;
- Failure to maintain or store invoices and required records on the licensed premises;
- No ABC manager on duty;
- Operating or selling alcohol after Board-approved hours;
- Transfer of ownership without Board approval;
- Violation of a Board order;
- Trade name change without Board approval; and
- Permitting a patron to leave the licensed premises with an open container of an alcoholic beverage.

## CONTACT ABRA

For more information, visit [ABRA.DC.Gov](http://ABRA.DC.Gov) or contact ABRA at 202-442-4423 or [ABRA@DC.Gov](mailto:ABRA@DC.Gov).