



Quick Guide: Farmers Markets

A farmer's market can obtain a license to allow District alcohol manufacturers, brew pub, wine pub and distillery pub permit holders to operate as vendors. The license permits a District manufacturer or pub permit holder to provide tastings of its products at no cost and to sell its products for off-premises consumption at a licensed market.

A farmer's market must meet the following criteria to apply for a license:

1. Have at least six vendors that produce, grow or raise the products they sell;
2. Operate between two and seven hours per market day;
3. Operate a minimum of six farmer's markets in a six-month period but no more than twice per week; and
4. Be registered with the Office of Tax and Revenue to make retail sales in the District.

There are two classes of Farmer's Market License:

- Class J: Permits the sale and service of beer and wine.
- Class K: Permits the sale and service of spirits, beer, and wine.

HOURS

A manufacturer or pub permit holder can provide tastings at no cost and sell its products for off-premises consumption at a licensed market from 8 a.m.-9 p.m.

FEES

Fees are as following:

- Class J License: \$300
- Class K License : \$500

VENDORS

A Farmer's Market License applicant is required to submit a list of all District manufacturers and pub permit holders that are to serve as vendors at each market at least 15 days prior to the first farmer's market event. An applicant could add additional vendors by submitting an updated list of vendors a minimum of 15

days before the date of a farmer's market event that the additional vendors intend to participate.

DELIVERIES

A licensed vendor—manufacturer or pub permit holder—can receive deliveries from a manufacturer or wholesaler for up to 48 hours before a farmer's market event occurring on a Saturday, Sunday, or a legal District or federal holiday. Any alcohol delivered would need to be stored in a secure location until the event. In addition, delivered alcohol cannot be consumed until the farmer's market event begins.

TASTINGS

A manufacturer or pub permit holder can only provide tastings of the alcohol the licensee produces. Tastings of alcoholic beverages can only be conducted at a vendor's table or booth. Patrons of a farmer's market are not permitted to walk around the farmer's market with alcoholic beverage samples. Further, a licensee cannot provide a customer with samples greater than the following quantities in one day:

- 3 ounces of spirits;
- 6 ounces of wines; and
- 12 ounces of beer.

CONTAINERS

A manufacturer or pub permit holder can only sell bottles or other closed containers of alcohol they manufacture in the District at a farmer's market event. The alcohol may only be sold for off-premises consumption. Tastings can only be dispensed in paper or plastic cups. Glassware is not permitted.

LICENSEE, MANAGER REQUIREMENTS

The licensee or ABC manager is required to be on duty and on the licensed premises during the approved 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; or
- Metropolitan Police Department (MPD) officer.

POSTING NOTICES

The alcoholic beverage license must be posted on the premises of the farmer's market.

The following sign must be posted at every vendor booth that sells alcohol and made visible to the public. The sign may not be covered or obscured.



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 a market'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;
- No ABC manager on duty;
- Operating or selling alcohol after Board-approved hours;

CONTACT ABRA

For more information, visit ABRA.DC.Gov or contact ABRA at 202-442-4423 or ABRA@DC.Gov.