



Quick Guide: Wholesalers

ABRA issues alcoholic beverage licenses to wholesalers in the District. A wholesaler's license permits the sale of alcoholic beverages to the following:

- Another alcoholic beverage licensee in the District for resale;
- Any alcoholic beverage licensed dealer in the United States for resale; and
- A consumer if the product is beer or wine.

ABRA issues two types of wholesaler's licenses:

- Class A: Permits the sale of spirits, wine and beer; and
- Class B: Permits the sale of wine and beer.

FEES

Fees are as following:

- Annual license fee for a wholesaler's license class A is \$5,200.
- Annual license fee for a wholesaler's license class B is \$2,600.

HOURS OF OPERATION

A wholesaler can sell alcoholic beverages between:

- 6-1 a.m., Monday through Saturday.

A wholesaler can make deliveries between:

- 5-1 a.m., Monday through Saturday.

A wholesaler can also deliver alcoholic beverages to a holder of a temporary license between:

- 9 a.m.-9 p.m. on Sundays.

PRIMARY AMERICAN SOURCE REQUIREMENT

A wholesaler licensed to distribute alcoholic beverages in the District can only

purchase and sell products obtained from the primary American source of supply, which is defined as a:

- Manufacturer or importer of the brand of alcoholic beverages at the time that the beverage became a marketable product in the United States or its duly authorized agent.

DONATIONS

A wholesaler does not need Alcoholic Beverage Control Board (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.

EMPLOYEES

Employees and agents of a wholesaler do not need Board approval to work or serve alcoholic beverages at a District licensed establishment during an event promoting products sold by the wholesaler.

SOLICITORS

A wholesaler may be represented by a solicitor. A solicitor is required to obtain a solicitor's license from ABRA. The license authorizes a solicitor to sell alcoholic beverages on behalf of the wholesaler whose name appears on the license and whom the solicitor represents. A solicitor's license allows the licensee to transport samples to and from licensed establishments.

STORAGE FACILITY

A wholesaler can obtain a storage facility permit to store alcoholic beverages in a warehouse in the District. A wholesaler that has a storage facility permit is required to maintain records that identify the kind and quantity of alcohol being stored at the facility. A wholesaler cannot store alcohol outside of the District.

TASTING PERMIT

A wholesaler must obtain a tasting permit in order to provide samples of products to staff or licensees. Wholesalers are not permitted to provide samples of products to the public. Wholesalers can only conduct tastings at a designated common area of a warehouse where the wholesaler is a tenant. Samples may be provided during the wholesaler's approved hours of operation. Samples of alcoholic beverages can be provided to an individual in the following quantities in one day:

- 3 ounces of spirits (class A);
- 6 ounces of wines (class A or B); and

- 12 ounces of beer (class A or B).

FARMERS MARKETS DELIVERIES

A wholesaler can deliver to manufacturers or pub permit holders at a farmer's market 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.

A wholesaler can also deliver to the holder of a temporary license for up to 48 hours before a Saturday, Sunday, or a legal District or federal holiday. Any alcohol delivered would also need to be stored in a secure location until the event.

POSTING NOTICES

An alcoholic beverage license must be framed under glass and made visible to the public if the wholesaler is selling directly to members of the public.

In addition, 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 if the wholesaler is selling directly to members of the public. The sign may not be covered or obscured.



OWNER, MANAGER REQUIREMENTS

If a wholesaler is selling directly to members of the public, an owner 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; and
- Metropolitan Police Department (MPD) officer.

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 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 or contact ABRA at 202-442-4423 or ABRA@DC.Gov.