

State of Louisiana  
Office of Alcohol and Tobacco Control

Jeff Landry  
GOVERNOR



Jarrod Coniglio  
SECRETARY

CHAD M. BROWN  
ATC COMMISSIONER

**ATC LIQUOR SELF-DISTRIBUTION PERMIT PACKET**

INFORMATION ON ALCOHOLIC DISTILLED SPIRITS OR LIQUOR BEVERAGE PERMIT

**Who must complete an application?**

A manufacturing distiller who operates a distilling facility located entirely in the state of Louisiana that produces less than four thousand (4,000) gallons of liquor or spirit annually at the distilling facility and holds an in-state liquor manufacturer's permit prior to engaging in the self-distribution of liquor or spirits to a retailer holding a Class A permit issued pursuant to R.S. 26:71.1 or 271.2, a Class B permit issued pursuant to R.S. 26:71 or 271, a Class C permit issued pursuant to R.S. 26:71.2 or 271.3, or a Type A, B, or C temporary alcoholic beverage permit issued pursuant to R.S. 26:793 must first hold a self-distribution permit with the ATC in accordance with La. R.S. 26:82.1.

**Permit Fees**

- \$1,500.00 initial application and processing fee (non-refundable)
- \$1,500.00 annual renewal fee (non-refundable)

**Self-Distribution permit expire annually on December 31<sup>st</sup> and must be renewed annually.**

**General Requirements**

1. Applicant must operate a distilling facility located in the State of Louisiana and hold a valid in-state liquor manufacturer (M-L) permit with the ATC.
2. May not distribute annually more than four thousand (4000) gallon of liquor or spirits to all retailers.
3. Own or lease warehouse space that is separate and segregated from the distillation facility.
4. Own or lease delivery equipment (vehicle or car) dedicated for the primary use of distribution and delivery of only those products distilled and produced at the facility.
5. Applicant does not have an existing distribution agreement with an alcohol wholesaler.
6. Products shall be offered at the standard price to all retailers.
7. Must comply with Liquor Credit Cash Laws.

**Where to submit application?**

Applications may be submitted to directly to ATC at any of ATC's locations listed on our website at [www.atc.louisiana.gov](http://www.atc.louisiana.gov) or submitted online on ATC's online portal.

**ONLINE APPLICATIONS** may be submitted by visiting <https://laatcab.atc.la.gov/laatcpod/pub/Login.aspx>. Note that prior to submitting application, applicant must register an account with the ATC. If applicant has registered an account and currently holds a beer manufacturer permit with the ATC, you may log into your account and start a new application for a self-distribution permit.

Questions may be submitted directly to [ATC-Attorneys@atc.la.gov](mailto:ATC-Attorneys@atc.la.gov).

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ONLINE APPLICATIONS may be submitted by visiting <https://laatcab.atc.la.gov/laatcprod/pub/Login.aspx>. Note that prior to submitting application, applicant must register an account with the ATC. If applicant has registered an account and currently holds a beer manufacturer permit with the ATC, you may log into your account and start a new application for a self-distribution permit.

Questions may be submitted directly to [ATC-Attorneys@atc.la.gov](mailto:ATC-Attorneys@atc.la.gov).

**General Definitions – La .R.S. 26:2**

(10) "Distill, distilling, and distilled" means the process of producing liquor by distillation through one or more stills located at a licensed premise as part of a distiller's process of engaging in the material and essential aspects of manufacturing the distilled spirits for human consumption.

(13) "Liquor" means all distilled or rectified alcoholic spirits, brandy, whiskey, rum, gin, and all similar distilled alcoholic beverages, including all dilutions and mixtures of one or more of the foregoing, such as liquors, cordials, and similar compounds.

(16) "Liquor wholesaler" means any dealer who sells any alcoholic beverage to other licensed liquor wholesale dealers or to licensed retail liquor dealers in the state or who sells alcoholic beverages for delivery beyond the borders of the state in amounts to be fixed by the commissioner, or who imports any alcoholic beverages into the state, and who meets the standards set forth in this Chapter.

(17)(a) "Manufacturer" means any person, other than a wine producer, who personally or through any agent whatever engages in the making, blending, rectifying, or processing of any alcoholic beverage in Louisiana; engages in the making, blending, rectifying, or processing of any alcoholic beverage outside Louisiana for sale in Louisiana; or engages in the business of supplying alcoholic beverages to licensed wholesale dealers in Louisiana. A manufacturer who engages in the making, blending, rectifying, or processing of any alcoholic beverage in a facility entirely located in the state of Louisiana may sell or serve only those products that are made, blended, rectified, or processed at that facility to the public only at that facility for consumption on or off the premises but not for resale. The total amount of such sales to the public for any given month shall not exceed one case per person for each thirty-day period. Any manufacturer who sells its products to the public pursuant to this Paragraph shall remit all state and parish or municipal sales and excise taxes to the proper tax collecting authority for all products sold to the public. A manufacturer who sells or serves its products to the public pursuant to this Paragraph shall comply with all local zoning laws and regulations. (b) Notwithstanding Subparagraph (a) of this Paragraph and R.S. 26:359(B), wine producers shall be considered manufacturers for the purposes of R.S. 26:348 and 354.

(18) "Manufacturing distillery" or "manufacturing distiller" means any person who personally or through any agent engages in the distilling of any alcoholic beverage in Louisiana, engages in the distilling of any alcoholic beverage outside of Louisiana for sale in Louisiana, or engages in the business of supplying distilled alcoholic beverages to licensed wholesale dealers in Louisiana.

(27) "Self-distribution" means distribution by a manufacturing distiller who operates a manufacturing distillery entirely located in the state of Louisiana to a retailer holding a Class A permit issued pursuant to R.S. 26:71.1, a Class B permit issued pursuant to R.S. 26:71, or a Class C permit issued pursuant to R.S. 26:71.2.

(31) "Supplier" means any person, other than a wine producer, who manufactures, makes, blends, rectifies, distills, processes, or purchases alcoholic beverages outside the state of Louisiana and imports, sells, offers for sale, solicits orders for sale, distributes, or delivers such alcoholic beverages in Louisiana.

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**Self-Distribution Law – LA. R.S. 26:82.1**

- A. Notwithstanding any provision of law to the contrary, a manufacturing distiller who operates a manufacturing distillery located entirely in the state of Louisiana that produces less than four thousand gallons of distilled alcoholic liquors annually at the manufacturing distillery and holds both an in-state manufacturing distillery permit and a distillery self-distribution permit issued pursuant to R.S. 26:71 may self-distribute to a retailer holding a Class A permit issued pursuant to R.S. 26:71.1, a Class B permit issued pursuant to R.S. 26:71, or a Class C permit issued pursuant to R.S. 26:71.2.
- B. If a manufacturing distiller self-distributes to retailers, the following shall apply:
- 1) No more than four thousand gallons of distilled alcoholic liquors may be self-distributed to all retailers annually.
  - 2) The distilled product shall be offered at a standard price to all retailers.
- C. A manufacturing distillery meeting the qualifications in Subsection A of this Section may obtain a permit to self-distribute alcoholic liquors distilled at its manufacturing distillery under the following conditions:
- 1) The manufacturing distiller does not have an existing distribution agreement with a permitted wholesale dealer.
  - 2) The manufacturing distiller owns or leases warehouse space that shall be maintained in a separate area from the distillation equipment.
  - 3) The manufacturing distiller owns or leases delivery equipment dedicated for the primary use of distribution and delivery of only those products distilled at the manufacturing distillery.
  - 4) The manufacturing distiller shall remit all excise and other applicable taxes on all alcoholic liquors distilled at its manufacturing distillery that are self-distributed.
  - 5) The manufacturing distiller shall provide a monthly report of all sales from the manufacturing distillery and all sales from self-distribution to the office of alcohol and tobacco control.
- D. A manufacturing distiller may enter into a distribution agreement with a permitted wholesale dealer or make application for a self-distribution permit. However, no manufacturing distillery shall distribute through the permitted wholesale dealer and self-distribution.
- E. Any manufacturing distillery that engages in self-distribution shall be subject to LAC Title 55, Part VII.

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**Louisiana Administrative Code, Title 55, Part VII Alcohol and Tobacco Control LIQUOR CREDIT REGULATIONS**

Pursuant to R.S. 26:148 and Louisiana Liquor Credit Cash Regulations, self-distributors shall be subject to the same requirements and parameters imposed against wholesalers. Self-distributors are prohibited from distributing their products to any retailer not holding a valid and current retail dealer permit. Retailers are required to immediately remit payment at the time of delivery of beer products. Any orders not paid upon delivery are prohibited. In the event, retailers submit a check and said check is returned (for any reason), self-distributors shall be required to submit monthly reports of such transactions on beer sold during the calendar month no later than the 20th day following the close of each month. If any retailer is subject to cash on delivery (COD) order, self-distributors shall only be permitted to accept cash upon delivery. Acceptance of checks shall be prohibited. See below relevant rules related to Beer Cash Violations.

Weekly reports shall be submitted online by visiting <https://atc.louisiana.gov/resources/wholesaler-portal/>

**LA. R.S. 26: 148. Form of payment; timely payment; penalty for violation**

- A. No manufacturer or wholesale dealer shall sell, offer to sell, or deliver any alcoholic beverage to any retail dealer in this state, and no retail dealer in alcoholic beverages shall buy or accept delivery for any such beverage, for any consideration other than cash or on terms requiring payment not later than the fifteenth day following that on which actual delivery is made, or by credit card payment where the credit card discount fees or merchant fees are added to the cost of the transaction as a convenience fee and the fees are paid by the retailer. If any payment is not made punctually when due, the vendor shall immediately notify the commissioner thereof and the commissioner shall promptly notify all manufacturers and wholesale dealers in the state of the default and thereafter no person shall sell any alcoholic beverage to the retailer in default on any other terms than cash delivery, until otherwise authorized by the commissioner. Under penalty of suspension of his permit, the retailer who is in default shall pay his obligation in full within thirty days from the date it became due.
- B. Whoever violates this Section may have his license suspended for not more than five days for the first offense and not more than thirty days for a subsequent offense. Each failure of a retail dealer to make payment for any default before the expiration of the period of suspension constitutes a subsequent offense. In addition, the retail dealer may be required to make payment in cash for all alcoholic beverages subsequently sold or delivered to him.
- C. The commissioner shall make and publish rules and regulations for the enforcement of this Section.

**Louisiana Administrative Code, Title 55 Section §301.- Regulation I—Liquor Credit Law**

- A. Every delivery of liquor to retail dealers shall be accompanied by an invoice of sale showing the name of the retail dealer, his trade name and permit number, and the date of the invoice which shall be the date of actual delivery.
- B. Manufacturers and wholesale dealers shall on each Monday morning mail to the commissioner, on a form prescribed by him, delinquent reports containing all of the information called for on said report.
- C. The dealers required to be reported as delinquent are those whose accounts were delinquent as of 7 p.m. Sunday preceding the date of the report.
- D. Delinquent retail dealers who pay their deficiency in full by Monday mornings are not to be included on the delinquent reports of that day.
- E. Delinquents are to be reported each Monday morning until their accounts have been paid in full.
- F. When collections are made from delinquent retail dealers before the expiration of their credit period, but too late to be processed on the wholesaler's or manufacturer's books and included on their delinquent report, provided an affidavit, on a sample form to be furnished by the commissioner, is executed by the person receiving the payment, which affidavit is to be retained by the wholesaler or manufacturer.

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**Louisiana Administrative Code, Title 55, Part VII Alcohol and Tobacco Control LIQUOR CREDIT REGULATIONS**

- G. Delinquent reports shall name all outlets and package houses owned or operated by the delinquent retail dealer.
- H. When manufacturers and wholesale dealers are not open for business on Mondays, reports shall be submitted on the last working day prior thereto, unless notified to the contrary by the commissioner.
- I. Triplicate copies of delinquent reports are to be made by manufacturers and wholesale dealers, the original of which is to be sent to the commissioner at Baton Rouge, one to the delinquent retail dealer and one to be retained by the wholesale dealer or manufacturer.
- J. No sale of liquor, except for cash (currency or silver), shall be made to a delinquent retail dealer on or after the date a list containing his name has been published by the commissioner.
- K. A retail dealer shall remain in default of credit until a list on which his name does not appear has been published by the commissioner, or manufacturers and wholesale dealers are notified to the contrary by the commissioner.
- L. Any liquor salesman and/or any wholesale liquor dealer who, either individually or collectively, coerces, or conspires with, any retail liquor dealer to purchase alcoholic beverages on any terms other than those permitted under R.S. 26:159 and these regulations shall subject said liquor salesman, and/or said retail or wholesale liquor dealer to a hearing with possible suspension of permit or permits for violation of Title 26 of the Revised Statutes of 1950, as amended, and these regulations.
- M. Any permittee who remains in default over a period of 30 days, may be called to a hearing by the commissioner to either suspend his permit or be placed on a permanent cash basis, or both; and in the event the commissioner places any permittee on a cash basis, all wholesale dealers shall be notified thereof in writing, and after the receipt of such notice, no dealer shall sell, offer to sell, or deliver any alcoholic beverages for any consideration other than cash until otherwise advised in writing by the commissioner.
- N. Any permittee placed on a permanent cash basis by order of the commissioner may request rescission of the order by petitioning the commissioner in writing for a rehearing and the commissioner may rescind his order upon the permittee satisfying the commissioner of his financial responsibility to carry on his business on a credit basis.

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APPLICATION FOR LIQUOR SELF DISTRIBUTION PERMIT  
("M-SD" – LIQUOR ONLY)

Office Use:
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**NOTICE TO APPLICANT:** Misstatement or suppression of material facts in this application is GROUNDS FOR DENIAL of this application. Additionally, filing false public records is a violation of Louisiana Revised Statute 14:133 and may result in imprisonment for not more than five (5) years with or without hard labor and/or fines of not more than \$5000.00

PART I. OWNER'S INFORMATION			
1) Type of Ownership (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Corporation (LLC) <input type="checkbox"/> Partnership <input type="checkbox"/> Other: _____			
2) Owner/Entity Legal Name: (Name of individual, partnership, LLC, or corporation):		3) State of Domicile:	
4) Trade Name (D/B/A):			
5) Business Physical Address:			
Business Street:			
Business City:	Business State:	Business Zip:	
6) Mailing Address: Same as Physical <input type="checkbox"/>			
Mailing Street:			
Mailing City:	Mailing State:	Mailing Zip:	
7) Business Email:		8) Business Contact Number:	
9) Federal Employee Identification Number (FEIN):		10) Louisiana State Identification Number:	
11) Does Business consent to receive ATC communications, administrative notices, and/or administrative decisions in electronic format via email? If YES, provide email: _____			Yes <input type="checkbox"/>
			No <input type="checkbox"/>

PART II. OWNERSHIP/CORPORATE STRUCTURE			
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If the applicant is not an individual (sole proprietorship), list the name, title, and percentage of ownership of each person. All \*partners, stockholders, officers, directors, members, and/or any person owning more than 5% must submit suitability document Schedule A/F and fingerprints with authorization form. If multiple entities, attach organizational chart.

Name of Individual & Affiliation:	SSN	Type of interest**	% of ownership:

BUSINESS INFORMATION			
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12) Is applicant's business to be conducted wholly or partly by one or more managers or other representatives? If YES, each person must submit a completed Schedule A/F form. If Yes, Complete below.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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MANAGER'S FULL NAME	Title
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<b>PART III. MINIMUM REQUIREMENTS</b>		
13) Does Applicant hold a current and valid in-state Liquor Manufacturer (M-L) permit? If No, provide date of application submitted. Date of Application: _____ Permit Number: _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
14) Does Applicant intend to self-distribute to other retailers?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
15) Does Applicant produce liquor through one or more stills located in the manufacturing facility as part of the process of engaging in the material and essential aspects of manufacturing such distilled spirit for human consumption?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
16) Does Applicant operate a manufacturing facility located entirely in the State of Louisiana that produces less than four thousand (4000) gallons of distilled alcoholic liquors annually at the distilling facility?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
17) Does Applicant understand that distiller must maintain all records and invoices of products self-distributed to retailers and made available to the ATC upon request?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
18) Does Applicant understand that distiller may not self-distribute more than four thousand (4000) gallons of distilled alcoholic liquors per year?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
19) Does Applicant understand any products intended for self-distribution must be offered at a standard price to ALL retailers?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
20) Does Applicant have an existing distribution agreement with a Louisiana permitted wholesale dealer?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>PART IV. WAREHOUSE AND DELIVERY EQUIPMENT</b>		
21) Does Applicant own or lease warehouse space that shall be maintained separate & segregated from the distillation equipment?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
22) Provide the address of the warehouse space or provide explanation of how products shall be separated and segregated from the brewing facility.		
23) Does distiller own or lease delivery equipment dedicated for the primary use of distribution and delivery of only those products distilled at its manufacturing distillery facility? Attach proof of vehicle delivery equipment.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
24) Does Applicant understand that manufacturing distiller shall be required to submit monthly reports to ATC of all sales from self-distribution? Monthly reports shall be due on or before the 15th day of the month.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
25) Does Applicant understand that any manufacturing distiller that engages in self-distribution shall be subject to Louisiana Administrative Code, Title 55, Part VII Alcohol and Tobacco Control?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
26) Does Applicant understand that all sales of liquor products to retailers are subject to Liquor Credit Laws? Retailers are required to pay for all liquor products within 15 days of delivery and Distiller is required to submit weekly and monthly report of any delinquencies. For additional information related to Cash or Credit Laws, see Louisiana Administrative Code, Title 55, Part VII.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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**NOTE: Initial application fee is \$1500.00. Self-distribution permits expires December 31st and shall be required to be renewed annually, unless otherwise approved for 2-year renewal. PART IV – REQUIRED DOCUMENTATION**

The following documentation must be submitted with the application. Failure to provide all required documents may significantly delay the processing time and may result in the withholding or denial of the application.

1. If applicant previously entered into a distribution contract with a distributor, provide proof the distribution contract has been terminated. Letter or documentation submitted as proof of contract termination must include date of termination.
2. Proof of ownership or lease of delivery equipment dedicated for the primary use of distribution and delivery of only those products brewed at the brewing facility.
3. Provide a copy of lease or proof of ownership of warehouse space and diagram of space.

**APPLICATION FEES**

<input type="checkbox"/> Self-Distribution Permit for Beer/Malt Beverages – Application fee	<b>\$1500.00</b>
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**\*\*Only Personal/Business checks, cashier check, money order, or Credit Cards accepted. NO REFUNDS\*\***

	IF APPLICANT IS:	MUST SIGN APPLICATION:
<b>WARNING &amp; SIGNATURE</b>	Individual /Sole Proprietor	Individual Owner
	Partnership	Any Partner
	Limited Liability Company (LLC)	Managing member, member, officer, director
	Corporation	Officer, Director

**APPLICATION AFFIDAVIT**

**BY SIGNING BELOW, YOU ARE SWEARING, UNDER OATH,** that you have read each of the questions in this application and that all answers are true and correct to the best of your knowledge, that you meet all the qualifications and conditions as set forth under La. R.S. 26:80 and 26:280; that you have complied with the notice requirements contained in La. R.S. 26:77 and 26:277; and that you have no interest in any business that holds a retail or wholesaler's license issued by the Louisiana Office of Alcohol and Tobacco Control. I also swear (or affirm) that this applicant (except as provided in R.S. 26:85) holds no interest either directly or indirectly in an alcohol retail or wholesale permit other than the type applied for in this application. Applicant understands that his/her is responsible to understand and maintain the requirements related to self-distribution and all alcohol laws applicable to applicant's business.

\_\_\_\_\_  
Print Name (By Authorized Person Only)

\_\_\_\_\_  
Signature of Authorized Person

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

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**APPLICATION**

Notary Use			
Sworn to and subscribed to me on this _____ day of _____, 20 _____, in the parish/county of _____, State of _____			
_____ Name of Notary Public		_____ Signature of Notary Public	
Office Use Only	Process by & Date:	Permitted by & Date:	Approval By & Date:

**Self-Distribution of Liquor Products by Distiller**

Monthly Report of all sales from the brewing facility and all sales from self-distribution of beer from the brewing facility. Filing period shall begin with first through the last day of the month preceding the submission date.			
Owner Name/Permittee	Primary Location Address:	ATC Permit Number:	Filing Start Date (MM/DD/YY)
Trad/Premise Name			

1) Provide the total amount of Liquor by gallonage produced at the distilling facility for the filing period.	
2) Provide the total amount of sales conducted from the distilling facility for the filing period.	
3) Provide the total amount of sales from self-distribution from distilling facility for the filing period.	
<p>I attest that the total amount liquor produced at this distilling facility and the total amount of liquor self-distributed from this distilling facility does not exceed more than four thousand (4000) gallons annually.</p> <p>I attest that I am an authorized representative of the licensee and that the information provided is true and accurate. I understand that the submission of this report is subject to La. R.S. 26:84 &amp; 282.</p> <p>Reports must be submitted directly to the ATC: By Mail: 7979 Independence Blvd. Suite 101, Baton Rouge, LA 70806 By Email: <a href="mailto:ATC-Attorneys@atc.la.gov">ATC-Attorneys@atc.la.gov</a></p>	

\_\_\_\_\_

Print Name & Title
Signature
Date