

State of Louisiana
Office of Alcohol and Tobacco Control

Jeff Landry
GOVERNOR



Jarrod Coniglio
SECRETARY

CHAD M. BROWN
ATC COMMISSIONER

**BEER OR MALT BEVERAGE
SELF-DISTRIBUTION PERMIT INFORMATION**

Who must complete an application?

A brewer who operates a brewing facility located entirely in the state of Louisiana that produces less than five thousand (5,000) barrels of beer or other malt beverages annually at the brewing facility and holds an in-state manufacturer's permit must prior to engaging in the distribution of beer or other malt beverages 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 in accordance with La. R.S. 26:242.

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 31st and must be renewed annually.

General Requirements

1. Applicant must operate a brewing facility located in the State of Louisiana and hold an in-state beer manufacturer (M-B) permit with the ATC.
2. May not distribute more than three thousand (3000) barrels of beer or other malt beverages to all retailers annually.
3. Own or lease warehouse space that is separate and segregated from the brewing facility.
4. Own or lease delivery equipment dedicated for the primary use of distribution and delivery of only those products brewed 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 Beer Cash Laws.
8. If applicant intends to self-distribute to a secondary location, then both locations must maintain the minimum barrel system as provided by La. R.S. 26:242.

Where to submit application?

Applications may be submitted to directly to ATC at any of ATC's locations listed below or submitted online on ATC's online portal.

7979 Independence Boulevard, Suite 101, Baton Rouge, Louisiana 70806 – 225-925-4041

1450 Poydras Street, Suite 850, New Orleans, Louisiana 70112 – 504-568-7028

200 Dulles Drive, Lafayette, Louisiana 70506 – 337-948-0346

24 Accent Drive, Suite B600, Monroe, Louisiana 71203 – 318-362-4285

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.

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General Definitions – La .R.S. 26:241

(5) "**Brewing facility**" means an establishment that brews beer and other malt beverages for the primary purpose of selling the brewed product for resale and that is authorized to sell or serve to the public beer or other malt beverages brewed at the facility for consumption on or off the licensed premises pursuant to and subject to the limitations in Paragraph (18) of this Section.

(17)(a) "**Malt beverages**" for purposes of R.S. 26:287(A)(9) and (10) and 741 only means all beverages, regardless of alcoholic content, as defined in this Paragraph and all beverages of low alcoholic content as defined in this Section.

(b) "Malt beverages containing more than six percent alcohol by volume" means beverages obtained by alcoholic fermentation of an infusion or by a brewing process or concoction of barley or other grain, malt, sugars, and hops in water, including among other things, ale, beer, stout, porter, and the like. Malt beverages are exclusive of all "liquors" whether they be defined as intoxicating or spirituous liquors, or as alcoholic, vinous, or malt liquors, or however otherwise defined as liquors, which are produced by distillation.

(c) "Malt beverages containing not more than six percent alcohol by volume" means beverages obtained by alcoholic fermentation of an infusion or by a brewing process or concoction of barley or other grain, malt, sugars, and hops in water, including among other things, ale, beer, stout, porter, and the like. Malt beverages are exclusive of all "liquors" whether they be defined as intoxicating or spirituous liquors, or as alcoholic, vinous, or malt liquors, or however otherwise defined as liquors, which are produced by distillation.

(18) "**Manufacturer or brewer**" means any person who, directly or indirectly, personally or through any agency, person, or establishment, engages in the making, blending, rectifying, brewing, or other processing of alcoholic beverages in Louisiana or outside the state for shipments to licensed wholesale dealers within the state subject to the provisions of R.S. 26:364. A manufacturer or brewer who operates a brewing facility entirely located in the state of Louisiana may sell or serve only those products brewed 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 ten percent of the total amount of product brewed at that facility monthly or two hundred fifty barrels, whichever is greater. Any manufacturer or brewer 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 or brewer who sells or serves its products to the public pursuant to this Paragraph, shall comply with all local zoning laws and regulations.

(25) "**Secondary location**" means a permitted brewing facility that is owned wholly by a brewer who operates two brewing facilities entirely located in the state of Louisiana.

(27) "**Self-distribution**" means distribution by a brewer who operates a brewing facility entirely located in the state of Louisiana 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.

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Self-Distribution Law – LA. R.S. 26:242

- A. Notwithstanding any provision of law to the contrary, a brewer who operates a brewing facility located entirely in the state of Louisiana that produces less than five thousand barrels of beer or other malt beverages annually at the brewing facility and holds both an in-state manufacturer's permit and a brewer's self-distribution permit issued pursuant to R.S. 26:271 may self-distribute to the following:
- 1) A secondary location wholly owned by the brewer holding the self-distribution permit.
 - 2) 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.
- B. A brewer who operates a brewing facility located entirely in the state of Louisiana may obtain a permit to self-distribute beer or other malt beverages brewed at its brewing facility under the following conditions:
- 1)
 - a) The quantity of beer brewed at the brewing facility that is self-distributed to a secondary location shall be included in the quantity limitations for selling products for on- or off-the-premises consumption in R.S. 26:241(18) for the producing brewing facility and shall not exceed an amount greater than fifty percent of the secondary location facility's production of beer for the previous month.
 - b) If a brewer self-distributes to a secondary location, the brewing facility at which the beer is produced shall maintain no less than a ten-barrel brewing system and the secondary location shall maintain no less than a five-barrel brewing system.
 - 2) If a brewer self-distributes to retailers the following shall apply:
 - a) No more than three thousand barrels of beer brewed at the brewing facility may be self-distributed to all retailers annually.
 - b) The product shall be offered at a standard price to all retailers.
 - 3) The brewer or brewing facility does not have an existing distribution agreement with a permitted wholesale dealer.
 - 4) The brewer or brewing facility owns or leases warehouse space that shall be maintained separate from the brewing facility.
 - 5) The brewer or brewing facility owns or leases delivery equipment dedicated for the primary use of distribution and delivery of only those products brewed at the brewing facility.
 - 6) The brewer shall remit all state sales and excise taxes on all beer or other malt beverages produced at its brewing facility that is self-distributed to a secondary location. The secondary location shall remit all parish or municipal sales and excise taxes on any amount received through self-distribution by the brewer to the proper tax collecting authority for all products sold to the public.
 - 7) The brewer or brewing facility shall provide a monthly report of all sales from the brewing facility and all sales from self-distribution to the office of alcohol and tobacco control.
- C. A brewing facility may enter into a distribution agreement with a permitted wholesale dealer or make application for a self-distribution permit. However, no brewing facility shall distribute through the permitted wholesale dealer and self-distribution.
- D. Any brewing facility 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 BEER CASH REGULATIONS

Under Louisiana Beer 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/>

§101. Definitions

A. For use in these regulations, the following terms are defined.

Beer— (as used in these regulations) beer, porter, ale, or any malt beverage obtained by alcoholic fermentation of an infusion, or concoction of barley, or other grain, malt and hops in water.

Cash Basis Order—the order issued by the commissioner after considering violations of the Beer Cash Law, which requires that a specified retailer must pay cash (currency and/or coin) for beer.

Cash Payment Basis—a retail dealer is required to pay for beer with currency and/or coin.

Cash Sale—(as used in R.S. 26:741 and in this regulation) the sale of beer for a consideration passing simultaneously upon delivery of merchandise, which consideration shall be currency or coin, or check as provided herein or bank certified items of cashier's check, certified check, or bank money order.

Cash Sales of Beer Law or Beer Cash Law—the provisions of Act No. 466 of 1948, the current reference being 1950 Louisiana R.S. 26:741.

Certified Payment Basis—bank certified items which a retail dealer may use in payment for beer, as, cashier's check, certified check, or bank money order.

Check—an order in writing by a beer permittee, written in accordance with the rules of the bank on which it is drawn, ordering the bank to pay a certain sum of money from the account of said permittee and to the order of a payee wholesaler.

Commissioner—the Commissioner of Alcoholic Beverage Control for the State of Louisiana, or his agent.

Documentary Permit—the document issued by the collector of revenue to show that the application to engage in business as a beer dealer is approved, which document will show to whom the permit was issued (the permittee), the address location of the business, kind of permit, the year for which issued and date of issuance.

Hearing—the procedural matter of the commissioner setting and conducting a hearing to determine findings on violations of the Beer Cash Law by retailers and wholesalers.

Hearing Officer—the person in charge of the hearing on violations of the Beer Cash Law for the commissioner.

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Notice of Hearing—the commissioner's written notice sent to dealers containing information of a hearing to be held on violations, which notice shall specify place, date and time.

Permit Suspension Order—the order issued by the commissioner suspending the privilege license of doing business as a beer dealer after a hearing.

Retail Dealer or Retailer—every person who sells, offers for sale, exposes for sale, or has in possession for sale and distribution, beer or malt beverages in any quantity to person other than to wholesaler or other retailers.

Uncollected Funds—bank terminology where items are accepted by the bank as a deposit for collection to be credited to the account of the depositor after collection, and which collection has not cleared by the bank.

Wholesale Dealer or Wholesaler—every person who sells, or offers for sale beer to other wholesale dealers, or to retail dealers for resale within the state, or to any person for delivery beyond the borders of the state.

§103. Credit Sale of Beer Prohibited—Retail Dealer Checks

- A. The sale of beer by a wholesale dealer to a retail dealer shall be made only for cash. Any maneuver, device, or shift of any kind by either wholesaler or retailer, whereby credit is extended or obtained, is a violation of the Beer Cash Law.
- B. Only retail beer dealers operating under a documentary permit, issued to them by the collector of revenue, may give a check for the payment of beer, and then only when such check is given and accepted in accordance with these regulations.
- C. A check given by a retail dealer in payment for beer shall be considered a cash consideration only when the following conditions are met.
 - 1) The check is drawn on the account of the retail dealer making the purchase.
 - 2) The check is given not later than simultaneously upon delivery of the beer.
 - 3) The check is dated not later than the date of delivery of beer.
 - 4) The check is for an amount not exceeding the total invoice price.
 - 5) The check is paid by the drawee bank when first presented for payment.
- D. Retail dealer checks accepted by a wholesale dealer may not be surrendered back to the retail dealer for cash before first presenting the check to the bank for payment in accordance with these regulations.
- E. An applicant for a retail beer permit commencing a new business, or taking over a going business, may not give a check in payment for beer until the documentary permit has been issued by the Collector of Revenue; the applicant must meet payment with cash, or with certified payment.
- F. A check returned unpaid because of being drawn against uncollected funds is a violation of the Beer Cash Law; the dealer issuing the check may not claim the reason for the check being unpaid as a defense for the violation.

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§105. Wholesalers to Deposit Retailer Checks Currently—Records

- A. All checks accepted by the wholesale dealers from retail beer dealers shall be deposited or presented for payment by the wholesale dealer not later than the next banking day following the receipt of the check from the retail dealer.
- B. Failure to timely deposit or present for payment any check shall be considered a violation of R.S. 26:741 by the wholesaler. The wholesale dealer shall record the date and the manner in which he presents the check to the bank for payment, whether by a listed deposit, or at the paying teller's window for cash.
- C.
 - 1. Wholesale beer dealers shall maintain all records pertaining to checks accepted from retail dealers and bank deposits of such checks for a period of two years, and shall hold all books, records and memoranda pertaining to those checks returned unpaid by the bank; such records shall be held for examination and review by the commissioner.
 - 2. Wholesale beer records of collections and banking for the sale of beer shall be designed to show the wholesale beer distributive business separate from any other lines of business.

§107. Reports by Wholesalers

- A. Whenever a check accepted by a wholesaler from a retailer is not honored by the drawee bank for any reason whatsoever, the wholesaler shall furnish the commissioner a written notice of this failure on a form prescribed by the commissioner, which notice shall be mailed to the commissioner not later than the next day after receipt of notice that payment of check has been refused. (Form BCL-3).
- B. All wholesale dealers shall file with the commissioner a monthly report on forms prescribed by the commissioner of all checks accepted from retailers which were returned unpaid by the drawee bank for any reason; the report is to cover transactions on beer sold during the calendar month, and shall be filed not later than the twentieth day following the close of each month (Form BCL-4).
- C. The reports required in §107.A and B shall contain the information on each item as specified in the form supplied by the commissioner, as well as any additional information requested of the wholesaler by the commissioner.
- D. Wholesale dealers shall report to the commissioner any incident where a retail dealer defers payment for beer by a means other than the issuance of an insufficient check, such incident shall be submitted to the commissioner as a written report setting out all information to describe the transaction and the means used by the retail dealer to defer payment for beer.

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• §109. Wholesale Dealer Violations—Notices, Hearings and Findings

- A. Any of the following when committed by a wholesale dealer shall be considered a violation of R.S. 26:741, the Cash Sales of Beer Law:
1. to use any maneuver, device or shift of any kind whereby credit is extended or payment is delayed for beer sold to a retailer;
 2. failure to exact the full cash consideration on the sale of beer not later than at the time of delivery of beer to the retail dealer;
 3. the acceptance of a check other than a check of a retail dealer operating under a documentary permit issued by the collector of revenue;
 4. failure to exact cash payment or certified payment for beer from an applicant for a retail beer permit whose documentary permit has not been issued;
 5. failure to deposit checks of retail dealers as required by §105 of these regulations;
 6. failure to file with the commissioner within the prescribed time and in the proper form any reports or notices provided in these regulations;
 7. selling of beer other than for cash to a retail dealer who is operating under the commissioner's cash basis order;
 8. making a sale of beer to a retail dealer during the period the retail dealer is under the commissioner's permit suspension order;
 9. failure to satisfactorily answer notice to appear at hearings on violations, or, failure to furnish requested information at hearing.
- B. Whenever the commissioner has reason to believe a violation of R.S. 26:741 or these regulations has been committed by a wholesale dealer, he shall determine, according to the available records, if it is the first violation, or if prior violations have occurred, and proceed according to the following.
1. First Violation: The commissioner shall send a warning notice to the wholesale dealer.
 2. Second Violation:
 - a) The commissioner shall send a notice to the wholesale dealer that the records show that since the first violation was found, the wholesaler has committed another violation and that a hearing will be held at a specified time and place.
 - b) If, at the hearing on the second violation, the commissioner is satisfied that the violation did occur within one year of the first violation, then the permit of the violator may be suspended for a period of two days exclusive of Sundays, election days and legal holidays and the violator may be fined not less than \$50 but not more than \$500.00
 3. Third Violation:
 - a) The commissioner shall send a notice to the wholesale dealer that the records show that since the second violation was found, the wholesaler has committed another violation and that a hearing will be held at a specified time and place.
 - b) If, at the hearing on the third violation, the commissioner is satisfied that the violation did occur within one year of the first violation, then the violator may be suspended for a period of five days, exclusive of Sundays, election days and legal holidays and the violator may be fined not less than \$250 but not more than \$1,000.

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4. Fourth Violation:
 - a) The commissioner shall send a notice to the wholesale dealer that the records show that since the third violation was found, the wholesaler has committed another violation and that a hearing will be held at a specified time and place.
 - b) If, at the hearing on the fourth violation, the commissioner is satisfied that the violation did occur within one year of the first violation, then the violator may be suspended for a period of 10 days, exclusive of Sundays, election days and legal holidays and the violator may be fined not less than \$500 but not more than \$2,500.
 - c)

§111. Retail Dealer Violations—Notices, Hearings and Findings

- A. Any of the following, when committed by a retail dealer, shall be considered a violation of R.S. 26:741, the Beer Cash Law:

1. failure to pay the full cash consideration for the purchase of beer not later than at the time of delivery of said beer, or, to use any maneuver, device, or shift of any kind whereby credit is obtained;
2. making payment to a wholesaler for beer with a check which does not comply with the requirements of §103 of these regulations;
3. to buy, borrow or otherwise obtain beer by any means while under a permit suspension order;
4. to sell, loan, give or otherwise supply beer on any basis to a retail dealer who is under a permit suspension order;
5. to violate the conditions of a cash basis order, or, to violate conditions of a permit suspension order.

- B. Whenever the commissioner has reason to believe that a violation of R.S. 26:741 or these regulations has been committed by a retail dealer, he shall determine, according to available records, if it is the first violation, or, if prior violations have occurred, and, proceed according to the following.

1. First Violation. The commissioner shall send a warning notice to the retailer.

2. Second Violation

- a) On the second recorded instance of a violation, after the notice of the first violation to a retail dealer, the commissioner shall review the file and records of violations of the retail dealer to determine a finding.
- b) If, after such review, the commissioner is satisfied that the violation did occur within one year of the first violation, then, he shall rule that the retail dealer must pay cash for beer for a period of three months, to begin the date so specified in the cash basis order.
- c) If the cash basis order is issued on the retailer, the commissioner shall rule to require wholesale dealers to accept only cash from the retailer for the payment of beer sold during the period of the cash basis order.

3. Third Violation

- a) The commissioner shall send a notice to the retail dealer that the records show that since the second violation was found, the retailer has committed another violation and that a hearing will be held at a specified time and place
- b) If, at the hearing on the third violation, the commissioner is satisfied that the violation did occur within one year of the first violation, then the permit of the violator shall be suspended for a three-day period, exclusive of Sundays, election days and holidays.

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4. Fourth Violation

- a) The commissioner shall send a notice to the retail dealer that the records show that since the third violation was found, the retail dealer has committed another violation and that a hearing will be held at a specified time and place.
- b) If at the hearing on the fourth violation the commissioner is satisfied that the violation did occur within two years of the first violation, then the permit of the violator shall be suspended for a period of not less than 10 days nor more than 30 days.
- c) In addition to the suspension of the permit, the commissioner shall rule that the retail dealer must pay cash for beer for a period of one-year, which rule shall become effective on the finding of the violation; and the commissioner shall rule to require wholesale dealers to accept only cash from retail dealer during the period of the cash basis order.

C. When violators found subsequent to the fourth violation, the commissioner likewise set hearings as in the third and fourth violations, and if after the hearing the commissioner is satisfied that the violation did occur within one year of the last previous violation, then the permit of the retail violator shall be suspended for a period of not less than 10 days nor more than 30 days, and shall be required to pay cash for the purchase of beer for one year.

D. If the commissioner determines at the hearing on the fourth violation, or, any subsequent hearing, that an aggravated condition occurred with that violation, an alternative penalty may be invoked by the commissioner to include permit suspension for a period of 90 days, or the revocation of the permit of the violator.

§113. Notice of Violations and Hearings—Retailers and Wholesalers

- A. The commissioner's notice to dealers of violations and/or hearings will be directed to the dealer at the address shown on the dealer's permit and may be sent by mail, or, in writing to be delivered to the dealer by the commissioner's agent.
- B. The notice shall be marked to show whether it is the first violation, second violation, third violation, or subsequent violation, as the case may be and if there is a hearing, the notice shall contain information pertinent to the hearing, as, place, date and time.

§115. Attendance at Hearings—Retailers and Wholesalers

- A. Dealers shall be sent a notice of hearings on violations which involve the suspension of his permit so as to afford the dealer an opportunity to be present and to offer any evidence or argument on his behalf in connection with those violations.
- B. If the dealers do not attend the hearing, then the hearing officer shall proceed with the hearing; if his findings affect the status of the permit of the dealer, the hearing officer shall send a written notice of such findings to the dealer.

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§117. Effect of Suspension of License and Cash Rule

- A. The license of any wholesale beer dealer, who continues to engage in the business subject of his beer license while under suspension for violation of the Cash Sales of Beer Law, shall be suspended for a period of 30 days, or may be revoked as a violation of the Beer Cash Law after notice and hearing.
- B. The license of any retail beer dealer, who continues to engage in the business subject of his beer license to any extent while under suspension for a violation of the Cash Sales of Beer Law, shall be suspended for a period of 90 days, or, may be revoked as a violation of the Beer Cash Law after notice and hearing.
- C. When a retail dealer is a multiple holder of retail beer permits, and said retailer is found to have committed a violation of the Beer Cash Law, and the hearing officer issues the cash payment order, such rule shall apply to all separate places of business operated by the retail dealer as of the date of the cash rule.

§119. Commissioner's Assertion of Intention of These Regulations

- A. These regulations are issued to implement R.S. 26:741, the Beer Cash Law, to provide an administrative vehicle by which effective administration may be accomplished so as to give clarity and understanding to those provisions.
- B. It is the intention of these regulations to give consideration to the desired effect in the conduct of the beer distributive industry so as to contribute to the orderliness of that industry; to give force and clarity to the necessity of submitting applications for the privilege license as a beer dealer; to further point out the necessity of the documentary permit.
- C. Special attention is directed to wholesale dealers from whom state and local beer taxes are collected, to point to their responsibility under these regulations, and that such responsibility may not be disregarded; to point out that where the facts show an apparent disregard for the spirit and purpose of these regulations, that even though is not a specific violation, the dealer will be cited by the commissioner for such condition.

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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

1) Is applicant's business to be conducted wholly or partly by one or more managers, agents, or other representatives? If YES, complete below and manager must submit a completed Schedule A/F if applicable and attach a colored copy of manager's driver's license. Submission not required if previously submitted.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
MANAGER'S FULL NAME	Title	

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BEER OR MALT BEVERAGE
SELF-DISTRIBUTION PERMIT APPLICATION

PART III. MINIMUM REQUIREMENTS		
13) Does Applicant hold a current and valid in-state Louisiana Beer Manufacturer (M-B) permit? If yes, provide the manufacturer permit number and list address of Primary manufacturer location? 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 operate a brewing facility located entirely in the State of Louisiana that produces less than five thousand (5000) barrels of beer or other malt beverages annually at the brewing facility?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
16) Does Applicant understand that it must maintain all records and invoices of products self-distributed to retailers?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
17) Does Applicant understand that brewer may not self-distribute more than three thousand (3000) barrels of beer brewed at the brewing facility annually?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
18) 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"/>
19) Does Applicant have an existing distribution agreement with a Louisiana permitted wholesale dealer?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
PART IV. WAREHOUSE AND DELIVERY EQUIPMENT		
20) Does Applicant hold a current and valid in-state Louisiana Beer Manufacturer (M-B) permit? If yes, provide the manufacturer permit number and list address of Primary manufacturer location? Permit Number:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
21) Provide the address of the warehouse space or provide explanation of how products shall be separated and segregated from the brewing facility.		
22) Does Brewer or Brewing facility own or lease delivery equipment dedicated for the primary use of distribution and delivery of only those products brewed at the brewing facility? Attach proof.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
23) Does Applicant understand brewer or each brewing facility 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"/>
24) Does Applicant understand that any brewer or brewing facility that engages in self-distribution shall be subject to Louisiana Administrative Code, Title 55, Part VII Alcohol and Tobacco Control, including but not limited to Beer Cash Violations?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
25) Does Applicant understand that all sales of beer products to retailers are subject to Beer Cash Laws? Retailers are required to pay for all beer products ordered immediately upon delivery. Credit sales are prohibited. For additional information related to Beer Cash Laws, see Louisiana Administrative Code, Title 55.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

State of Louisiana
Office of Alcohol and Tobacco Control



Jeff Landry
GOVERNOR

Jarrold Coniglio
SECRETARY

CHAD M. BROWN
ATC COMMISSIONER

BEER OR MALT BEVERAGE
SELF-DISTRIBUTION PERMIT APPLICATION

PART V. SECONDARY LOCATION		
26) Does Applicant wholly own a secondary brewing facility in the state of Louisiana that it intends to self-distribute to? If No, skip questions 27-35.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
27) Provide the number of barrel brewing system maintained at the primary brewing facility location. (Transferor)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
28) Provide the number of barrel brewing system maintained at the secondary brewing facility location. (Receiving)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
29) Does the secondary location hold a valid Beer Manufacturer permit with ATC? Provide secondary location permit number: _____ Provide Address of secondary location: _____ _____	Yes <input type="checkbox"/>	No <input type="checkbox"/>
30) Does Applicant understand that the quantity of the beer brewed at the primary brewing facility that will be self-distributed to a secondary location shall be included in the quantity limitations for selling products for on or off the premises consumption as provided by R.S. 26:241(18)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
31) Does Applicant understand that the quantity of beer brewed at the primary brewing facility shall not exceed more than fifty (50%) of the secondary location facility's production of beer for the previous month?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
32) Does Applicant understand that the primary brewer must remit all state sales and excise taxes on all beer or other malt beverages produced at its brewing facility that is self-distributed to a secondary location?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
33) Does Applicant understand that the secondary location shall be required to remit all parish and municipal sales and excise taxes on any amount received through self-distribution by the brewer to the proper tax collecting authority for all products sold to the public?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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
<p>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.</p> <ol style="list-style-type: none"> 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.

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BEER OR MALT BEVERAGE
SELF-DISTRIBUTION PERMIT APPLICATION

APPLICATION FEES	
<input type="checkbox"/> Self-Distribution Permit for Beer/Malt Beverages – Application fee	\$1500.00

****Only Personal/Business checks, cashier check, money order, or Credit Cards accepted. NO REFUNDS****

	IF APPLICANT IS:	MUST SIGN APPLICATION:
WARNING & SIGNATURE	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

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
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Office Use Only	Process by & Date:	Permitted by & Date:	Approval By & Date:

State of Louisiana
Office of Alcohol and Tobacco Control

Jeff Landry
GOVERNOR



Jarrold Coniglio
SECRETARY

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ATC COMMISSIONER

BEER OR MALT BEVERAGE
SELF-DISTRIBUTION BEER PRODUCTS BY BREWERY

Self-Distribution of Beer Products by Brewery

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 no.	Filing Start Date (MM/DD/YY)
Trade/Premise Name			

1) Provide the total amount of beer produced at the primary facility for this filing period.	
2) Provide the total amount of beer produced at the secondary facility for this filing period.	
3) Provide the total amount of sales conducted from the primary brewery for the filing period.	
4) Provide the total amount of sales from self-distribution from primary facility for the filing period.	

I attest that in accordance with La. R.S. 26:243, the above referenced licensee maintains at the primary brewing facility (transferor) at minimum a ten (10) barrel brewing system that produces beer and that the secondary location maintains at minimum a five (5) barrel brewing system that produces beer.

I attest that the amount self-distributed to secondary location does not exceed more than fifty percent (50%) of the secondary location's production of beer for the previous filing month.

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 & 282.

Reports must be submitted directly to the ATC:

By Mail: 7979 Independence Blvd. Suite 101, Baton Rouge, LA 70806
By Email: ATC-Attorneys@atc.la.gov

Print Name & Title
Signature
Date