

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

**Mark Martin**

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Alcoholic Beverage Control Division

Department Department of Finance and Administration

Contact Milton Lueken E-mail milton.lueken@dfa.arkansas.gov Phone (501) 682-1105

Statutory Authority for Promulgating Rules Ark. Code Ann. Section 3-2-206

Rule Title: Amendment to Section 2.5.2

Intended Effective Date

(Check One)

Date

☐ Emergency (ACA 25-15-204)

Legal Notice Published .....

08/13,14,15/15

☒ 10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment .....

09/16/15

☐ Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Reviewed by Legislative Council .....

01/12/16

Adopted by State Agency .....

09/16/15

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

**Karen Blagg**

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01/12/2016

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

(501) 682-1105

bud.roberts.dfa.arkansas.gov

Phone Number

E-mail Address

Alcoholic Beverage Control Director

Title

January 13, 2016

Date

**Section 2.5.2 “Arkansas Small Brewery”** means any facility located in the State of Arkansas and licensed under ACA § 3-5-1405 that manufactures fewer than forty-five thousand (45,000) barrels of beer, malt, and hard cider per year. A licensed microbrewery-restaurant is not a “small brewery”. A small brewery permitted under this law shall have the authority to manufacture and sell beer, malt beverages, and hard cider not to exceed an aggregate quantity of 45,000 barrels per year. The operator of a small brewery may serve complimentary samples of products produced by the small brewery and may sell at retail by the drink or by the package beer, malt, and hard cider produced by the small brewery if all sales occur in a wet territory. Authorized sales as described above may occur at the small brewery location property, or at fairs and food and beer festivals. Small breweries may sell and transport beer, malt, and hard cider products produced on the premises of the small brewery to retail license holders and small brewery license holders if the total production of the permitted brewery does not exceed fifteen thousand (15,000) barrels per year. If the small brewery determines that it wishes to sell its own products to another small brewery, or to retail license holder it shall obtain a small brewery wholesale permit. If premises sales are limited to those brand name products which are produced at the permitted facility. Small brewery permittees may sell their beer, malt beverage, and hard cider products for on or off premises consumption during all legal operating hours of the business in which the business is normally and legally conducted, on any day of the week, unless otherwise prohibited by law, if the small brewer provides tours and provides that only sealed containers are removed from the premises. In addition to serving their own products on the premises of the small brewery, small brewers may serve wine and products produced by another licensed small brewery.