

# ARKANSAS REGISTER

## Transmittal Sheet

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



Secretary of State

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For Office

Use Only:

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

Name of Agency Department of Finance and Administration

Department Alcoholic Beverage Control

Contact Doralee Chandler E-mail doralee.chandler@dfa.arkansas.gov Phone 501-682-1105

Statutory Authority for Promulgating Rules Act 271 of 2021

Rule Title: Direct Shipment of Vinous Liquor or Mead Rule 2.75

Intended Effective Date

(Check One)

☐

Emergency (ACA 25-15-204)

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

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

Legal Notice Published .....

Final Date for Public Comment .....

Reviewed by Legislative Council .....

Adopted by State Agency .....

Date

10/17/2021

11/17/2021

01/26/2022

11/17/2021

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

Doralee Chandler

doralee.chandler@dfa.arkansas.gov

02/02/2022

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

Phone Number

doralee.chandler@dfa.arkansas.gov

E-mail Address

Director of Alcoholic Beverage Control

Title

02/02/2022

Date

## **Final Rule**

### ***Section 2.75 Direct Shipment of Vinous Liquor or Mead to Arkansas Residents.***

Any winery licensed by this state or the state where its principal place of business is located and which is registered with the Alcoholic Beverage Control Division pursuant to ACA § 3-5-1703 may ship vinous liquor or mead to an Arkansas consumer. Prior to the winery's first shipment into or within the state the winery shall (1) register with the Alcoholic Beverage Control Division; (2) provide the division with a copy of the winery's current licenses to manufacture wine issued by: (A) the state of domicile; and (B) the Alcohol and Tobacco Tax and Trade Bureau of the United States Treasury; and (3) pay a registration fee of twenty-five dollars (\$25.00).

A consumer must be physically present at the winery to purchase the vinous liquor or mead to be shipped into or within the state and must provide identification to the shipping winery that the consumer is at least twenty-one (21) years old.

A winery shall ship only a vinous liquor or mead to a private residence and may only ship one case of vinous liquor and one case of mead per consumer in any calendar quarter.

A shipment of a vinous liquor or mead shall have a shipping label provided by the Alcoholic Beverage Control Division affixed to the shipping package. The fee for each label shall not exceed ten dollars (\$10.00).

A winery shall have the vinous liquor or mead delivered to an Arkansas consumer during the hours of the day that alcoholic beverages may be purchased in the state.

A winery shall collect and remit to the Department of Finance and Administration all sales taxes and excises taxes due on a sale to an individual of this state as if the sale took place on the premises of an Arkansas Small Farm Winery, including without limitation taxes under ACA § 3-5-1605, 3-7-104, 3-7-111, and 3-7-201.

(Adopted 9-01-2021)