

Colorado Liquor Law Winery

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Liquor Enforcement
Division



COLORADO
Department of Revenue

Enforcement Division - Liquor & Tobacco

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VinCo - Grand Junction, CO

AGENDA

- 1 Winery v. Limited Winery
- 2 Application Process
- 3 Maintaining Compliance
- 4 Q & A



COLORADO

Winery v. Limited Winery

Winery (section 44-3-402, C.R.S.)

- Manufacture unlimited amount of vinous liquor (wine).
- Authorized to have one sales room within the winery's premises, and one outside the premises.
- May sell wine of their own manufacturer or other wines manufactured by other Colorado wineries in their sales room.
- May apply for a winery direct shipping permit to ship wine to personal consumers in Colorado. This is an additional permit that is applied for each year – now available online.
- May obtain a wine/spirits wholesale licensing – only used for self-distribution
- Participate in an alternating proprietorship license
- May apply for a wine festival permit

Winery v. Limited Winery

Winery (section 44-3-402, C.R.S. - continued)

- Can have warehouses
- Submits product registrations
- Home Wineries (how do they fit in)
- Can apply for a wine packaging permit
- Age of employees
- Authorized to donate wine to non-profit organizations

Winery v. Limited Winery

Limited Winery (section 44-3-403, C.R.S.)

- Manufacture – only 100,000 gallons of vinous liquor (wine
- Authorized to have one sales room within the winery's premises, and five outside the premises.
- May sell wine of their own manufacturer or other wines manufactured by other Colorado wineries in their sales room.
- May apply for a winery direct shipping permit to ship wine to personal consumers in Colorado. This is an additional permit that is applied for each year – now available online.
- May wholesale product to retail locations
- Participate in an alternating proprietorship license
- May apply for a wine festival permit

Winery v. Limited Winery

Limited Winery (section 44-3-403, C.R.S. - continued)

- Can have warehouses
- Submits product registrations
- Home Wineries (how do they fit in)
- Can apply for a wine packaging permit
- Age of employees
- Authorized to donate wine to non-profit organizations

Application Process

Form DR8409

- Fees – there are both an application and a license fee. The application fee is a one time fee and the license fee is an annual fee.
- Provide information about the licensed premises:
 - Address
 - Diagram outlining all areas of the premises, to include sales rooms, storage, etc. The licensed premises must be contiguous.
 - Lease, deed or other document proving possession of the license premises. You must have possession at all times.
- Provide information about the owners, officers, managing members, other persons who either supplied funds or equipment, or those who have any financial interest in the license (10% threshold).
- Provide your federal basic permit number or proof of application. You must have a valid federal permit prior to the approval of the state license

Application Process

Form DR8057 (Sales Room)

- You must have a valid license (winery/limited winery) in order to have a sales room. You can apply for both at the same time.
- Fees – there is no fee associated with this permit
- Provide information about the licensed premises:
 - Address
 - Diagram outlining all areas of the premises, to include sales rooms, storage, etc. The licensed premises must be contiguous.
 - Lease, deed or other document proving possession of the license premises. You must have possession at all times.
- Provide information if other persons will be managing or financially benefiting from alcohol sales concerning the sales room.
- Indicate whether you will have sales for on-premises, off- premises or both.

Application Process

Form DR8057 (Sales Room)

- If you will have on-premises sales, you must provide a copy of the application to the local licensing authority (LLA) where the permit premises is located. The LLA has up to 45 days to provide input to the LED whether they object or not to the sales room permit. The LLA does not have the ability to approve or deny the permit.
- Must provide the name of the person you submitted the application to (LLA) and the date submitted.
- For temporary sales rooms (those for 3 days or less), the LLA has up to 10 days to provide input to the LED. The application must be submitted no less than 10 days prior to the event.

Inspections

- An LED investigator will be assigned your application in order to conduct an inspection of the licensed winery and any sales rooms (except for temporary sales rooms) prior to approval.

Application Process

Form DR8506 (Wine Festival Permit)

- Only one winery needs to submit a wine festival permit for one event
- Provide a diagram of the festival permit
- Provide authorization by letter or lease for possession of the premises for the time of the festival
- Provide the names of all other Colorado wineries who are participating in the festival
- Fee - \$25 per year
- Must submit a copy of the application to the LLA where the festival will occur no less than 10 days prior to the event.
- Indicate sales for either on-premises, off-premises, or both
- Festival is limited to no more than 3 days

Maintaining Compliance

License Renewal

- Will receive renewal form from the LED no less than 90 days from renewal
- Must renew license and pay fees within 45 days of expiration date of license.
- Must file all excise and fee requirements pursuant to section 44-4-503, C.R.S.

Limited Winery

- Must certify annually – compliance with the 100,000 gallon product limit – use form DR4639.

Enforcement/Inspections

- LED will conduct compliance checks (underage checks) and inspections throughout the year.

Q & A?



THANK YOU!

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