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SUBTITLE K – DISTILLERS OR LIQUOR MANUFACTURER OPERATIONS

Section 2.85 Disposition of Distiller or Liquor Manufacturer Products. Subject to all other product disposition rules, unless specifically allowed under this rule section, a distiller or liquor manufacturer is permitted to sell, serve, or otherwise dispose of controlled beverage product it produces or otherwise procures as follows:

- (1) A distiller or manufacturer may sell, deliver, and transport any liquor product to a wholesaler or rectifier;
- (2) A distiller or manufacturer may sell, deliver, and transport to permitted retailers not more than fifteen thousand (15,000) nine-liter-equivalent cases or thirty-five thousand six hundred sixty-seven gallons (35,667 gals.) of spiritous liquor produced by the distiller or manufacturer per year.
- ~~(2)~~ (3) A distiller or manufacturer may export any liquor product from this state;
- ~~(3)~~ (4) A distiller or manufacturer may sell for off-premises consumption on any day of the week, including Sunday, its own spiritous or vinous liquor product produced either at its in-state premises or its out-of-state premises;
- ~~(4)~~ (5) A distiller or manufacturer may sell for on-premises consumption its own liquor, wine, beer, or malt liquor product produced either at its in-state premises or its out-of-state premises;
- ~~(5)~~ (6) A distiller or manufacturer may sell for on-premises consumption any liquor product it purchases from an in-state permitted wholesaler;
- ~~(6)~~ (7) A distiller or manufacturer may serve for on-premises consumption complimentary samples of any liquor product it produces either in-state or out-of-state;
- ~~(7)~~ (8) If a distiller's or manufacturer's permitted location is in a wet territory, that distiller or manufacturer may sell by the drink or by the retail package any spiritous or vinous liquor product produced on the premises, provided that only sealed containers may be removed from the premises;
- ~~(8)~~ (9) A distiller or manufacturer may donate its liquor product to a charitable or non-profit corporation on the same basis as a manufacturer under the provisions of Section 2.28(6) of these Regulations;
- ~~(9)~~ (10) A distiller or manufacturer may sell for resale its liquor product to charitable or non-profit organizations holding valid temporary permits as provided for by the Alcoholic Beverage Control Division, ~~except that a distiller or manufacturer may sell to non-profit organizations holding private club licenses only as provided in subparagraph number four (4) of this Section.~~ Sales of a distiller's or manufacturer's liquor products to a temporary permitted location shall be limited to the duration of the temporary permitted activity.

SUMMARY OF SUBSTANTIVE CHANGES

Act 706 of 2021 modifies Ark. Code Ann. §3-4-602 to allow a distiller to self-distribute licensed retailers not more than fifteen thousand (15,000) nine-liter-equivalent cases or thirty-five thousand six hundred sixty-seven gallons (35,667 gals.) of spirituous liquors per year.

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