



**State of Arkansas
Department of Finance
And Administration**



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Non-Resident Beer Seller’s Permit Application

The Non-Resident Beer Seller’s Permit allows manufacturers of beer and malt liquor to ship products into the state of Arkansas to Approved Arkansas Alcoholic Beverage Wholesalers, Distributors, or Dealers.

Instructions

- Fully complete this application. Incomplete applications will not be processed. The Application **must** be notarized by a notary public, and all required documentation **must** be complete and attached to the application.
- A copy of the state permit to manufacture beer or malt liquor must be submitted.
- If the Products are Primary American Source (PAS) products entering Arkansas for the first time the application will be processed and once approved the Brand Registration/Label Approval/Wholesaler Appointment process must be completed.

Definitions

- **Beer Products.** A fermented liquor that is made from malt or a substitute and has an alcohol content of less than 5% by weight but not less than 0.5% by weight. Ark. Code Ann. § 3-5-1202
- **Malt Liquor Products.** Any liquor brewed from the fermented juices of grain and having an alcoholic content of not less than 5% or more than 21% by weight. Ark. Code Ann. § 3-5-1202
- **Barrell.** A barrel is equal to 31 gallons. Ark. Code Ann. § 3-5-1202

General Information

1. Any in-state or out-of-state manufacturer of beer or malt liquor will pay the initial application fee of **\$350.00 (Three Hundred & Fifty-Dollars) via check, money order or cashier’s check. NO CASH.** All permits issued by this agency, expire on June 30th of each calendar year and are subject to renewal.
2. The following fees will be collected upon yearly renewal of the permit based on the amount of “barrels” shipped into the State of Arkansas.

Less than 200 barrels.....	\$350.00
From 200 to 1000 barrels.....	\$1,000.00
More than 1000 barrels.....	\$2,000.00
3. The (PAS) is required to notify Arkansas Alcoholic Beverage Control of the wholesalers that will be representing your business in the state on an exclusive basis. Arkansas does not allow more than one (1) distributor per brand per geographic territory. Make wholesale designations on the attached Registration Form.

4. Arkansas is a franchise state. If the brands you want to register have been previously awarded to an existing wholesaler, that wholesaler will retain the rights to those brands.
5. Any Non-Resident Beer Seller in Arkansas is required to file shipping reports with Arkansas Miscellaneous Tax. Miscellaneous Tax is a section of the Arkansas Department of Finance and Administrations Revenue Department. Please Contact Miscellaneous Tax to determine the requirements. Address: Arkansas Miscellaneous Tax Section PO Box 896 Little Rock, AR 72203-0896 Phone: 501-682-7187 Website: https://www.dfa.arkansas.gov/office/taxes/excise-tax-administration/miscellaneous-tax/
6. Provisions of the Arkansas Non-Resident Beer Seller’s Permit Act of 1995 as amended, are found codified in the Arkansas Code at ACA 3-5-1301, et. seq. You may also wish to review provisions of ACA 3-5-1101, et. Seq. which governs the relationships between wholesalers and suppliers. The Arkansas Code is available at https://www.arkleg.state.ar.us/Acts .
7. Under Act 783 of 2009 a business is required to post “dock prices” with the Alcoholic Beverage Control (ABC). See also ABC regulation §2.28(16) for more information. ABC Regulations are available on the ABC website.
8. By Signing this application, the applicant agrees to follow, stay current on, and comply with all local, federal and state laws, including, but not limited to Arkansas Code Annotated § 3-5-1701, et al.
9. The business must provide written notice to the ABC Director within thirty (30) days of a change in the Primary Owner or Primary Business Contact?
10. Please allow three (3) to four (4) weeks for approval if the PAS process is not finished at the time of application.
11. Gallonage excise taxes are paid by the Arkansas wholesaler when the malt beverage product “comes to rest” at the wholesale warehouse location.

Business Information

Legal Business/Company Name: _____

Business Designation: Sole Proprietorship (Single Owner) LLC INC Partnership Corporation Other _____

Name of Business if different from Legal Name: _____
(Any fictitious name or ‘Doing Business As’ (DBA) name)

AR Sales Tax Number: _____ FEIN: (if applicable) _____

Physical Business/911 Address: _____ Suite/Unit #: _____
(Must be numeric address plus street name (example: 152 Smith St); CANNOT be a P.O. Box or location description)

City: _____ State: _____ Zip Code: _____

Business Mailing Address (if different): _____ Suite/Unit #: _____
(This is the address where you want to receive any mail communication from ABC; CAN include P.O. Box)

City: _____ State: _____ Zip Code: _____

Business Phone Number: (____) _____ - _____

Business Email: _____

Note: Alcoholic Beverage Control primarily uses e-mail to communicate with permit holders. Please provide the most up-to-date email for your business that is reviewed frequently.

Primary Owner/Business Contact Information

Owner/President/CEO Demographic Information:

Information must be for the legal head of the company

Owner/President/CEO Name: _____ Date of Birth: ____/____/____

Home Address: _____ Suite/Unit #: _____
(Must be a numeric address plus street name; CANNOT be a P.O. Box or location description)

City: _____ County: _____ Zip Code: _____

E-mail Address: _____ Phone Number: (____) _____ - _____

Driver's License/ID Number: _____ State of Issuance: _____ Alien Registration No.: _____

Business Primary Contact Information

If different from owner/President/CEO

Name: _____ Date of Birth: ____/____/____

Home Address: _____ Suite/Unit #: _____
(Must be a numeric address plus street name; CANNOT be a P.O. Box or location description)

City: _____ County: _____ Zip Code: _____

E-mail Address: _____ Phone Number: (____) _____ - _____

Driver's License/ID Number: _____ State of Issuance: _____ Alien Registration No.: _____

Non-Resident Beer Application Checklist

(Please check or initial that each item is attached for review)

Completed Application. The Applicant must complete the application in full, and have it notarized.

Payment. A check or money order must be sent with the application for three hundred & fifty dollars (\$350.00). Please ensure the check or money order is completely and accurately filled out. **NO CASH PAYMENTS.**

Primary American Source (PAS). Attach to application a letter on official company letterhead declaring the business as the Primary American Source for all products/brands manufactured or distributed by the business. *Each Brand must complete the Brand Registration, label approval, wholesaler appointment process.*

Arkansas Sales Tax Certificates. Attach to application a copy of the business certificate with Arkansas Sales and Use tax. *(This certificate is only used to verify that you have an account established with Miscellaneous tax to pay all appropriate taxes with the state.)*

Brand Registration Form. The applicant should submit as part of the application process a completed Brand Registration Form (Found on the ABC Web-site). *Application may be processed without this form, but the completed form should be submitted as soon as possible.*

NOTICE: ALL ARKANSAS ALCOHOLIC BEVERAGE CONTROL PERMITS EXPIRE JUNE 30TH AFTER DATE OF ISSUE AND MUST BE RENEWED EACH YEAR

Important Information

Please note that this application **MUST** be completed in its entirety. Any application that is submitted that is incomplete will **not** be accepted and will be returned to the applicant. Please review the application and the accompanying checklist to ensure that you have provided all required information and documentation for application submission.

By accepting a permit from Arkansas Alcoholic Beverage Control, the permit holder is agreeing that they, and their business, will follow all lawful requirements and furthermore acknowledging that they understand that ABC Agents, or any other lawful Alcoholic Beverage Control Entity can periodically conduct inspections and compliance checks to ensure compliance with the law.

Legal Responsibility - Application Signature Page

By dating and signing below, I certify and attest that I am an owner or duly authorized agent, partner, officer, or Applicant and hereby declare and sign under penalty of law that the information provided on this application (all pages 2 through 6, including the Application Checklist) is true and correct to the best of my knowledge and belief. The undersigned applicant also agrees to faithfully comply with all local, state, and federal laws including, but not limited to, Act 483 of 2013 A.C.A. § 3-5-1701 all rules promulgated pursuant thereto, and all lawful orders of the Arkansas Alcoholic Beverage Control Board. Applicant understands and agrees that any intentional false or misleading information, of any nature or relative to any item, will be sufficient grounds for denial or subsequent revocation of the permit for which he/she is applying.

Date: _____
_____ Signature of Owner or Authorized Representative – (Please sign in notary’s presence)

_____ Printed Name of Owner or Authorized Representative

_____ Business Title of Owner or Authorized Representative

Notary Information:

Subscribed and sworn to before me, a Notary Public, by _____, to me well known or

identified to me by government issued photo identification, on this _____ day of _____, 20_____.

My Commission Expires: _____ Name: _____

Please place Notary
Stamp in box

