



J. Patrick O'Neal, M.D., Commissioner | Nathan Deal, Governor

2 Peachtree Street NW, 15th Floor
Atlanta, Georgia 30303-3142
dph.ga.gov

GUIDANCE FOR INDUSTRY: DIRECT, ON PREMISE SALES, BY BREWERIES AND DISTILLERIES

The purpose of this document is to inform breweries and distilleries carrying a Food Sales Establishment License of an important legislative change going into effect on September 1, 2017.

WHO: Breweries and distilleries operating in the state of Georgia licensed and inspected by the Georgia Department of Agriculture's Food Safety Division.

WHAT: Senate Bill 85, which provides for the limited sale of Malt Beverage and Distilled Spirits directly to consumers for consumption on, and off the premise, of a manufacturer licensed by the Georgia Department of Revenue.

WHEN: The provisions of Senate Bill 85 go into effect on September 1, 2017.

WHAT IS THE SIGNIFICANCE OF SENATE BILL 85?

Prior to Senate Bill 85, distillers were not able to sell alcoholic beverages on their premise. Distillers were able to provide free souvenirs (in the form of a sealed container of distilled spirits), free food, and/or offer free tastings, with an accompanying tour of their distillery. Any fees charged for the distillery tours were not deemed retail sale of alcoholic beverages. Senate Bill 85 repeals the provisions regarding distillery tours, souvenirs, and tastings; and allows for direct sale to consumers on their premises. This also means that breweries and distilleries can operate restaurants and taverns on the same premise as their manufacturing operations.

FOOD SERVICE AT BREWERIES AND DISTILLERIES

When Senate Bill 85 goes into effect on September 1, 2017, breweries and distilleries can lawfully operate a food service establishment on the same premise as their manufacturing plant. In Georgia, restaurants, taverns, and other food service establishments are under the regulatory authority of the Georgia Department of Public Health (DPH). **A food service permit must be obtained from the [local county health department](#).** The food service permit only covers the food service operations conducted at the facility. Manufacturing and wholesale operations at breweries and distilleries will remain under the regulatory authority of the [Georgia Department of Agriculture's Manufactured Food Program](#).