

# Ohio Winery

## Basics



*OR...* How to Avoid Unpleasant Visits  
from the  
Ohio Division of Liquor Control



## Division of Liquor Control Beer & Wine Section

*As a liquor permit holder, it is your responsibility to know the state liquor laws and rules of the Ohio Liquor Control Commission that apply to the operation of your winery. The Division of Liquor Control has prepared this guidebook on winery basics to serve as a helpful guide for understanding many of the laws and rules (the number of the statute or rule is noted so you can refer to the specific law). This guidebook is not, however, a complete guide. We suggest that you consult with your attorney on any matter that involves your business and that you refer to, or obtain a copy of, the complete set of the liquor laws and rules.*

# Beer and Wine Section

## *CONTACT INFORMATION*

Pam Laycock, Chief

614-644-2474

[Pam.Laycock@liquor.state.oh.us](mailto:Pam.Laycock@liquor.state.oh.us)

Chris Hill, Administrative Assistant

614-644-2474

[Chris.Hill@liquor.state.oh.us](mailto:Chris.Hill@liquor.state.oh.us)

Donna Cuccio, Account Examiner

614-644-2410

[DCuccio@liquor.state.oh.us](mailto:DCuccio@liquor.state.oh.us)

Loretta Levan, Office Assistant

614-644-2407

[LLevan@liquor.state.oh.us](mailto:LLevan@liquor.state.oh.us)

Cynthia Lewis, Secretary

614-644-2411

[CLewis@liquor.state.oh.us](mailto:CLewis@liquor.state.oh.us)

## **COMPLIANCE OFFICERS**

Rodney Isaacson

Fax: 419-867-7263

Pager: 419-327-1130

[RIsaacson@liquor.state.oh.us](mailto:RIsaacson@liquor.state.oh.us)

Dwight Johnson

Fax: 440-437-8739

Pager: 216-436-0527

[DJohnson@liquor.state.oh.us](mailto:DJohnson@liquor.state.oh.us)

Eric Wallace

Fax: 740-366-1212

Pager: 740-734-1023

[EWallace@liquor.state.oh.us](mailto:EWallace@liquor.state.oh.us)

[www.liquorcontrol.ohio.gov](http://www.liquorcontrol.ohio.gov)



**Compliance Officer Territories**

## **Alcohol Beverage Definitions**

**Cider:** means all liquids fit to use for beverage purposes that contain one-half of one percent of alcohol by volume, but not more than six percent of alcohol by weight that are made through the normal alcoholic fermentation of the juice of ripe apples, including flavored, sparkling, or carbonated cider and cider from pure condensed apple must.

**Intoxicating Liquor:** includes all liquid and compounds, other than beer, containing one-half of one percent or more of alcohol by volume which are fit to use for beverage purposes including wine, mixed beverages and cider even if it contains less than four percent of alcohol by volume, and all solids and confections which contain any alcohol.

**Low-Alcohol Beverage:** means any brewed or fermented malt product, or any product made from the fermented juices of grapes, fruits, or other agricultural products, that contains either no alcohol or less than one-half of one percent of alcohol by volume. This does not include soft drinks such as root beer, birch beer, or ginger beer.

**Mixed Beverages:** such as bottled and prepared cordials, cocktails, and highballs are products obtained by mixing any type of whiskey, brandy, gin or other distilled spirits, with, or over, carbonated or plain water, pure juice from flowers and plants, and other flavoring materials. The completed product shall contain not less than one-half of one percent of alcohol by volume and not more than 21 percent of alcohol by volume.

**Wine:** includes all liquids fit to use for beverage purposes containing not less than one-half of one percent of alcohol by volume, and not more than 21 percent of alcohol by volume, which is made by the fermentation of fruit juices.

### **Wine Case**

When used in conjunction with retail wine sales means a container holding the number of bottles prescribed by the manufacturer of wine of the same size and containing either the same or different types and kinds of wine.

### **Home Use**

The purchase by a non-liquor permit holder of alcoholic beverages from manufacturers or wholesale distributors under a class A1, A2, B1, B2, B4, or B5 license which will be consumed at a non-liquor permit premises where purchaser acknowledges that said alcoholic beverages will not be re-sold.

## **Liquor Permits**

**A-2                   Manufacturer of Wine**

***ORC 4303.03***

Issued to a manufacturer to manufacture wine from grapes or other fruits; to import and purchase wine in bond for blending purposes, the total amount of wine so imported during the year covered by the permit not to exceed forty per cent of all the wine manufactured and imported; to manufacture, purchase, and import brandy for fortifying purposes; and to sell those products either in glass or container for consumption on the premises where manufactured, for home use, and to retail and wholesale permit holders under the rules adopted by the division.

The fee for this permit is \$126.00 for each plant to which this permit is issued.

**A-1-A               Allows for Sale of Beer & Intoxicating Liquor**

***ORC 4303.021***

Issued to the holder of an A-2 permit to sell beer and any intoxicating liquor at retail, only by the individual drink in glass or from a container. The holder of an A-1-A permit may sell beer and any intoxicating liquor during the same hours as the holders of D-5 permits (can't sell between the hours of 2:30 a.m. – 5:30 a.m.) Except as otherwise provided in this section, no new A-1-A permit shall be issued to the holder of an A-2 permit unless the sale of beer and intoxicating under class D permits is permitted in the precinct in which the A-2 permit is located and unless the holder of the A-2 permit manufactures or has a storage capacity of at least twenty-five thousand gallons of wine per year.

The fee for this permit is \$3,906.00.

**D6                   Allows for Sunday Sales**

***ORC 4303.182***

Issued to the holder of an A-1-A and A-2 permit to allow sale under that permit between the hours of either 10:00 a.m. or 1:00 p.m. and midnight on Sunday if that sale has been authorized.

The fee for this permit is \$500.00

## Sanitation Requirements

Shall apply to the permit premises of all holders of the permits that authorize retail sales, and to any other permit premises under a permit allowing sales for consumption of alcoholic beverages on the premises.

- If the permit premises are located in a place where a public water supply and a public sewage system are available, the toilet facilities shall contain water-flushed toilets.
- If the permit premises are located in a place where a public water supply and a public sewage system are not available, toilet facilities of a type and kind approved by the board of health of the health district in which such permit premises are located, and installed in accordance with specifications of such board of health, shall be provided.

*OAC 4301:1-1-17*

## Employee Age Restrictions

No intoxicating liquor shall be **handled** by any person under **twenty-one** years of age, **except:**

- a person **eighteen** years of age or older employed by a permit holder may **handle or sell beer or intoxicating liquor in sealed containers** in connection with wholesale or retail sales.
- A person **nineteen** years of age or older employed by a permit holder may **handle intoxicating liquor in open containers when acting in the capacity of a server** in a hotel, restaurant, club, or night club.
- Any person employed by a permit holder **may handle intoxicating liquor in sealed containers in connection with manufacturing, storage, warehousing, placement, stocking, bagging, loading, or unloading, and may handle intoxicating liquor in open containers in connection with cleaning tables or handling empty bottles or glasses.**
- Must be **twenty-one** years of age or older to **sell intoxicating liquor across a bar**

*ORC 4301.22*

## **Permit Premises**

### **Expansion and Reduction of Permit Premises**

*OAC 4301-1-02*

A permit holder who desires an expansion or diminution (deletion) of his permit premises shall notify the division, in writing, and submit a sketch indicating the proposed change. Upon receipt of the request for such change, the division may make an inspection of the permit premises and of the area proposed to be added or deleted and shall approve or deny the requested change within twenty working days.

### **Open Container Law**

*ORC 4301.62*

No person shall have in the person's possession an opened container of beer or intoxicating liquor except:

- That which has been lawfully purchased for consumption on the premises where bought from the holder of an A-1-A, A-2, (certain D permits), F, F-2, or F-5 permit;
- Beer, wine, or mixed beverages served for consumption on the premises by the holder of an F-3 permit or wine served for consumption on the premises by the holder of an F-4 or F-6 permit;
- Beer or intoxicating liquor to be consumed during tastings and samplings approved by rule of the liquor control commission. See OAC 4301:1-1-30 and OAC 4301:1-1-32

## **Product & Label Registration**

### **Registration Requirements**

*ORC 4301.10*

A fifty-dollar product registration fee is required for each new product sold in this state. The product registration fee shall be accompanied by the application for product registration, the federal Certificate of Label Approval and, when applicable, the Territory Designation Form. Information regarding Certificate of Label Approval application can be found on the TTB website: [www.ttb.gov](http://www.ttb.gov)

# Basic Requirements

Every wine manufacturer operating in the state of Ohio shall have the appropriate federal permit or certificate, in effect, issued by the Federal Bureau of Alcohol, Tobacco, and Firearms.

## Pricing Requirements

*OAC 4301:1-1-03*

### TERMS TO KNOW:

The price of your wine if you sell to a distributor	<b>wholesale invoice cost</b>
The price that the distributor sells to a retailer	<b>minimum retail invoice cost</b>
The price that the retailer sells to the consumer	<b>minimum retail selling price*</b>

- This rule shall apply to all sales of wine, **not for consumption on the premises** here sold and in sealed containers, by manufacturers.
- Manufacturers shall sell to wholesale distributors at the **wholesale invoice cost**.
- Wholesale distributors shall sell to retail permit holders at no less than the **minimum retail invoice cost**, which shall be computed by adding a markup of not less than thirty-three and one-third percent to the “wholesale invoice cost including freight and taxes.”
- Retail permit holders shall sell to consumers at no less than the **minimum retail selling price,\*** which shall be computed by adding a markup of not less than fifty percent to the “minimum retail invoice cost.”
- A-2 permit holders selling to retail permit holders must sell at no less than the “**minimum retail invoice cost**.”
- A-2 permit holders selling to consumers must sell at no less than the **minimum retail selling price.\***

* Minimum retail selling price for <b>single bottles</b> :	<b>fifty percent</b> over the minimum retail invoice cost.
* Minimum retail selling price of <b>one case</b> : (same size, type and kind of wine)	<b>forty percent</b> over the minimum retail invoice cost for that bottled wine.

When the case contains the same size and has either the same or different types and kinds of wine, the permit holder may calculate and advertise the case as ten percent off the retail single bottle minimum price.

**A price schedule shall be created and maintained by each manufacturer of bottled wine in this state. The price schedule shall be created quarterly on or before the tenth day of December, the tenth day of March, the tenth day of June, and the 10<sup>th</sup> day of September of each calendar year. The price schedule, as provided herein, shall be effective on the first day of the calendar month following the date of creation.**

No bottled wine of any kind or description whether bearing a brand name or private label, shall be bottled in Ohio and sold or distributed in this state by retail permit holders unless registered for sale in Ohio and a price schedule is in effect.

### **MINIMUM MARK-UP MADE SIMPLE**

You determine the **wholesale invoice cost**

The distributor adds thirty-three and one third percent to that **wholesale invoice cost** and sells to retailer at the **minimum retail invoice cost**

The retailer adds fifty percent (for single bottles) or forty percent (for cases) and sells to the consumer at the **minimum retail selling price**

**EXAMPLE:**

Wholesale invoice cost (you sell to distributor)	=	(you decide)	=	<b>\$3.00</b>
Minimum retail invoice cost (distributor sells to retailer)	=	( <b>\$3.00</b> x 1.333)	=	<b>\$4.00</b>
Minimum retail selling price (retailer sells to consumer)	=	( <b>\$4.00</b> x 1.50 - single) (or <b>\$4.00</b> x 1.40 - case)	=	<b>\$6.00</b> <b>\$5.60</b>

*GOING BACKWARD:*

Minimum retail selling price (retailer sells to consumer)	=		=	<b>\$6.00</b>
Minimum retail invoice cost (distributor sells to retailer)	=	( <b>\$6.00</b> ÷ 1.50)	=	<b>\$4.00</b>
Wholesale invoice cost (you sell to distributor)	=	( <b>\$4.00</b> ÷ 1.333)	=	<b>\$3.00</b>

***IF YOU SELL THAT \$3.00 BOTTLE OF WINE DIRECTLY TO A RETAILER OR THE CONSUMER, YOU MUST INCORPORATE THE APPROPRIATE MINIMUM MARKUPS***

**Restriction on Price Reductions and Price Scheduling**

*ORC 4301:1-1-50*

**DO NOT SELL:**

- Two or more servings of any alcoholic beverage upon the placing of an order for an individual drink of any alcoholic beverage;
- An unlimited number of servings of alcoholic beverages during any set period of time for a fixed price.

All permit holders shall maintain on their premises a schedule of prices for all drinks of alcoholic beverages to be served or consumed thereon. Schedule of prices shall be effective for not less than one calendar month, dating from twelve p.m. on the first day of each month.

**“Happy Hour”**

Prior to nine p.m., permit holders may sell, furnish, or deliver alcoholic beverages at a lower price during happy hour periods. After nine p.m., no permit holder shall sell, furnish, or deliver alcoholic beverages at a price less than the regularly-charged price.

**DO NOT GIVE AWAY ALCOHOL**

*ORC 4301.22 (D)*

**No holder of a permit shall give away any beer or intoxicating liquor of any kind at any time in connection with the permit holder’s business.**

Exceptions are F-3 permit, F-4 permit, F-6 permit, Rule 30 Tasting and Rule 32 Samples

# Tasting and Samples

## Conducting a Tasting

*OAC 4301:1-1-30*

Tasting means the distribution of small amounts of brands of wine in servings of not more than two ounces.

Permit holders may conduct tastings of products, which have been qualified for sale in Ohio, and which the permit holder is authorized to sell, for marketing purposes only, for themselves or for other groups or organizations. A tasting may be conducted at either the place of business or any designated place closed to the general public.

The manufacturer shall provide the product for the tasting without charge at the designated location. No fees shall be charged or donations accepted to attend or participate in a tasting.

Written notice of any beer, wine, mixed beverage, or spirituous liquor tasting must be submitted to the division of liquor control at least five working days, excluding Saturday and Sunday, before the tasting is to take place, and written approval must be received from the division before such tasting may be held.

**A TASTING EVENT IS ALWAYS CLOSED TO THE GENERAL PUBLIC;  
WITH NO CHARGE TO THE ATTENDEES; and  
CAN NOT BE USED FOR GENERAL CONSUMPTION PURPOSES**

## Providing Samples

OAC 4301:1-1-32

A winery's registered solicitors may distribute samples of its products to **wholesale distributors or retail permit holders**, or sacramental wine for religious rites to clergy.

- Products eligible for sampling include any products or vintages qualified for sale in Ohio.
- Sampling may only be conducted by employees of manufacturers, suppliers, or wholesale distributors who are registered solicitors pursuant to Chapters 4301 and 4303 of the Ohio Revised Code.
- Sampling may be done by either providing a **sealed container**, not to exceed seven hundred fifty milliliters, or by providing **servings of wine not to exceed two ounces**
- Samples may only be provided during normal business hours at a permit premise.
- All samples shall be clearly marked "sample". Such samples may be transported after they have been opened if the following conditions are met:
  - 1) The product is resealed with a type of lid, stopper, or seal appropriate for the product:
  - 2) The product is clearly marked "sample" and:
  - 3) When in a motor vehicle, the product is not accessible from the driver's seat of the vehicle.

**At no time shall products marked "sample" be sold.**

Keep Records: Written records of sampling must be made available to the division of liquor control upon request.

## Temporary Permits

### ***YOU MAY NOT DONATE YOUR PRODUCT TO ANY TEMPORARY EVENT, EXCEPT TO HOLDERS OF THE FOLLOWING TEMPORARY PERMITS:***

#### **F-3**

***ORC 4303.203***

An F-3 permit may be issued to an organization whose primary purpose is to support, promote, and educate members of the beer, wine, or mixed beverage industries, to allow the organization to bring beer, wine, or mixed beverages in their original packages or containers into a convention facility or hotel for consumption in the facility or hotel.

No F-3 permit shall be issued to any nonprofit organization that is created by or for a specific manufacturer, supplier, distributor, or retailer of beer, wine, or mixed beverages.

Notwithstanding division (E) of section 4301.22 of the Ohio Revised Code, a holder of an F-3 permit may obtain by donation beer, wine, or mixed beverages, from any manufacturer or producer of beer, wine, or mixed beverages.

Nothing in this chapter prohibits the holder of an F-3 permit from bringing into the portion of the convention facility or hotel covered by the permit beer, wine, or mixed beverages otherwise not approved for sale in this state.

Notwithstanding division (E) of section 4301.22 of the Ohio Revised Code, no holder of an F-3 permit shall make any charge for any beer, wine, or mixed beverage served by the drink, or in its original package or container, in connection with the use of the portion of the convention facility or hotel covered by the permit.

### ***YOU MAY DONATE YOUR PRODUCT TO AN F-3 EVENT***

#### **F-4**

***ORC 4303.204***

The division of liquor control may issue an F-4 permit to an association or corporation organized not-for-profit in this state to conduct an event that includes the **introduction, showcasing, or promotion of Ohio wine**, if the event has the following characteristics:

- (1) It is coordinated by that association or corporation who is responsible for the activities of the event.
- (2) It has as one of its purposes the intent to introduce, showcase, or promote Ohio wines.
- (3) It includes the sale of food for consumption on the premises
- (4) It features at least three A-2 permit holders who sell Ohio wine at it.

The holder of an F-4 permit may furnish, without charge, wine that it has obtained from the A-2 permit holders that are participating in the event for which the F-4 permit is issued, in two-ounce samples for consumption on the premises where furnished and may sell such wine by the glass for consumption on the premises where sold. The holder of an A-2 permit that is

participating in the event for which the F-4 permit is issued may sell wine that it has manufactured, in sealed containers for consumption off the premises where sold.

- The application for the permit shall list all of the A-2 permit holders that will be participating in the event for which the F-4 permit is sought.
- An F-4 permit holder shall not allow an A-2 holder to participate in the event for which the F-4 permit is issued if the A-2 or A-1-A permit of that A-2 permit holder is under suspension.

Notwithstanding division (E) of section 4301.22 of the Ohio Revised Code, an A-2 permit holder that participates in an event for which an F-4 permit is issued may donate wine that it has manufactured to the holder of that F-4 permit. The holder of an F-4 permit may return unused and sealed containers of wine to the A-2 permit holder that donated the wine at the conclusion of the event for which the F-4 permit was issued. An A-2 permit holder or its employees may participate in an event for which an F-4 permit is issued.

***YOU MAY DONATE YOUR PRODUCT TO AN F-4 EVENT***

**F-6**

***ORC 4303.206***

The division of liquor control may issue an F-6 permit to a nonprofit organization that is exempt from federal income taxation under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501(c)(3), as amended, to sell wine at an event organized and conducted by, and for the benefit of, the nonprofit organization.

An F-6 permit may be issued to a nonprofit organization if the premises of the event for which the F-6 permit is sought is located in a precinct, or at a particular location in a precinct, in which the sale of wine is otherwise permitted by law. The premises of the event for which an F-6 permit is issued shall be clearly defined and sufficiently restricted to allow proper enforcement of the permit by state and local law enforcement officers. If an F-6 permit is issued for all or a portion of the same premises for which another class of permit is issued, that permit holder's privileges shall be suspended in that portion of the premises in which the F-6 permit is in effect.

A holder of an F-6 permit may charge an admission price to attend the event for which the permit is issued, which price includes the consumption of wine or sale of wine by the individual drink.

A holder of an F-6 permit may sell wine in its original sealed container by auction at the event for which the permit is issued.

Nothing in this chapter or Chapter 4301. of the Revised Code or any rule adopted by the liquor control commission prevents the holder of an F-6 permit from obtaining wine by donation

from a manufacturer, supplier, or wholesale distributor of wine or from any person who is not the holder of a permit issued by the division of liquor control.

Notwithstanding any contrary provision of section 4301.24 of the Revised Code or of any rule adopted by the liquor control commission, employees of a manufacturer, supplier, or wholesale distributor may assist the holder of an F-6 permit in serving wine at the event for which the permit is issued.

The division shall prepare and make available an F-6 permit application form and may require applicants for the permit to provide information necessary for the administration of this section.

No F-6 permit shall be effective for more than seventy-two consecutive hours, and sales of wine under the permit shall be confined to the same hours permitted to the holder of a D-2 permit. The division shall not issue more than six F-6 permits per calendar year to the same nonprofit organization.

***YOU MAY DONATE YOUR PRODUCT TO AN F-6 EVENT***

## **BASIC DO'S AND DON'TS**

### **Operational Practices**

**DO** allow an agent of the Department of Public Safety or the Division of Liquor Control or an officer of the law to make an inspection of your establishment upon presentation of their credentials. (ORC 4301.66 and OAC 4301:1-1-79)

**DON'T** expand or diminish the areas covered by your permit without getting written permission from the Division of Liquor Control. (OAC 4301:1-1-02)

**DON'T** sell, furnish or allow any person under the age of 21 to consume beer, wine, mixed beverages or spirituous liquor. (ORC 4301.63 and ORC 4301.632)

### **Sanitary Conditions**

**DO** keep your establishment clean, sanitary and orderly.  
(OAC 4301:1-1-17)

**DO** provide adequate, proper and clean restroom facilities for both men and women  
(OAC 4301:1-1-17)

**DO** provide clean wine dispensing equipment as required. (OAC 4301:1-1-28)

### **Serving**

**DON'T** furnish two or more servings of an alcoholic beverage when only one is ordered. (OAC 4301:1-1-50 (A))

**DON'T** give away food in connection with the sale of alcoholic beverages except hot or cold snacks, pretzels, hors d'oeuvres, roasted nuts, popcorn or similar morsels. (ORC 4301.21 (C) and OAC 4301:1-1-58)

**DO** maintain a schedule of prices to be effective for at least one month for all alcoholic beverages to be served and/or consumed on your permit premises. (OAC 4301:1-1-50 (B))

**DON'T** sell an unlimited number of servings of alcoholic beverages during a set period of time for a fixed price, any alcoholic beverage after 9 p.m. at a price less than the regularly charged price, encourage or permit any game or contest which involves drinking or the awarding of alcoholic beverages as a prize, or increase the volume of alcoholic beverages contained in a serving without increasing proportionately the price charged for such serving. (OAC 4301:1-1-50 (A))

**DON'T** give away any alcoholic beverages. (ORC) 4301.22 (E) and OAC 4301:1-1-46)

**DON'T** furnish "curb service." (OAC 4301:1-1-46 (A))

## **BASIC DO'S AND DON'TS**

**DON'T** allow an open container of beer or intoxicating liquor on your permit premises. (ORC 4301.62)

**DON'T** permit any alcoholic beverage sold for consumption on the premises to be removed. (ORC 4301.21 (D))

### **Permit Statutes and Rules**

**DO** display your permit or other evidence of your authority to operate in a conspicuous place on the licensed premises. (OAC 4301:1-1-21)

**DO** apply for safekeeping of your permit with the Division of Liquor Control, if your establishment is destroyed or made unusable, or if your tenancy rights are terminated. (ORC 4303.272)

**DO** request closing authority from the Division of Liquor Control if your business is to be closed more than 30 days. Submit an affidavit giving reasons and period of time to be closed. Failure to do so could result in suspension, revocation or rejection. (OAC 4301:1-1-16)

**DO** pay corporate franchise taxes and keep your corporation in good standing with the Secretary of State of Ohio. (ORC 4301.25 (A)(5) and ORC 5733.01)

**DO** pay employee withholding tax. (ORC 5747.06)

**DON'T** allow anyone to own or operate your business or use your permit privileges without consent of the Division of Liquor Control. (ORC 4303.27)

**DON'T** transfer, assign or pledge your permit to anyone operating your business without prior approval of the Division of Liquor Control. (ORC 4303.29)

### **Applications: New & Renewal**

**DO** file a timely application for renewal of a permit at least fifteen (15) days prior to the expiration of your existing permit. The expiration date is listed on the face of your permit. (ORC 4303.271)

**DO** post minor and firearms warning signs on your permit premises. These signs are available from the Licensing Office or on the Division's Web site at [www.liquorcontrol.ohio.gov](http://www.liquorcontrol.ohio.gov).

**DO** give your application or permit number, name and permit premises address when writing or calling the Division of Liquor Control.

## BASIC DO'S AND DON'TS

### Selling

**DO** obtain federal Certificate of Label Approval from TTB for every product to be sold.

TTB WEBSITE: [www.ttb.gov](http://www.ttb.gov)

**DO** submit Application for Label Registration to the Division for each product to be sold.

**DO** submit Territory Designation Form for any distributor you appoint.

**DO** apply the minimum markup when selling to retail permit holders and consumers, for off-premise consumption. (OAC 4301:1-1-03)

**DO** maintain a quarterly price schedule showing applicable minimum markup on all products

**DON'T** sell any beer or intoxicating liquor to any person under 21 years of age. (ORC 4301.22 (A) and 4301.69)

**DON'T** sell any alcoholic beverages to an intoxicated person. (ORC 4301.22 (B))

**DON'T** sell to any wholesale distributor or retail permit holder any wine except for cash upon receipt of such product. (ORC 4301.24 and OAC 4301:1-1-43 (H))

**DON'T** provide any gifts, loans, discounts, rebates, either in money, merchandise or anything of value to any wholesale distributor or retail permit holder, except as authorized in OAC 4301:1-1-43 and ORC 4301.24.

### Ages of winery workers

**DON'T** allow anyone under 18 years of age to handle beer or intoxicating liquor in sealed containers in connection with wholesale or retail sales. (ORC 4301.22 and OAC 4301:1-1-56)

**DON'T** allow anyone under 19 years of age to sell beer in open containers or handle intoxicating liquor in open containers when acting as a waiter or waitress. (ORC 4301.22 and OAC 4301:1-1-56)

**DON'T** allow anyone under 21 years of age to sell intoxicating liquor across a bar. (ORC 4301.22 and OAC 4301:1-1-56)

**DO** allow any person employed by a permit holder to handle beer or intoxicating liquor in sealed containers in connection with manufacturing, storage, warehousing, placement, stocking, bagging, loading or unloading. (ORC 4301.22 and OAC 4301:1-1-56)

**DO** allow any person employed by a permit holder to handle beer or intoxicating liquor in open containers only in connection with cleaning tables or handling empty bottles or glasses. (ORC 4301.22 and OAC 4301:1-1-56)

## **BASIC DO'S AND DON'TS**

### **Hours of Operation**

**DON'T** sell wine after 1:00 a.m. or before 5:30 a.m. Monday through Saturday (Sunday 1:00 a.m.)

**DON'T** sell wine on Sunday (after 1:00 a.m.) unless you hold a D6 permit. (ORC 4301.22 (D) and 4303.182)

### **Advertising & Display**

**DON'T** advertise brand names of alcoholic beverages on the outside of your establishment. (ORC 4301.22 (E) and OAC 4301:1-1-44)

**DON'T** participate in an advertising program with your distributor or a retail permit holder. (OAC 4301:1-1-44 (E))

*F*

*O*

*R*

*M*

*S*

# APPLICATION FOR LABEL REGISTRATION

See Instructions on Page 2



Ohio Department of Commerce  
 Division of Liquor Control  
 Beer and Wine Section  
 6606 Tussing Road, P.O. Box 4005  
 Reynoldsburg, Ohio 43068-9005  
 (614)644-2411

Company Name			<b>DIVISION USE ONLY</b>
Mailing Address			
City	State	Zip Code	
Telephone Number ( )	Registration/Permit #		
Contact Person			
<b>Type of Application:</b> <input type="checkbox"/> New Label - <b>\$50.00 Filing Fee</b> – Allow 30-45 business days for processing <input type="checkbox"/> Label Revision or <input type="checkbox"/> New Size Container Previous Approval Date (required) _____ - <b>No Fee</b>			

### REQUIREMENTS FOR LABEL REGISTRATION – COMPLETE APPROPRIATE CHECKLIST

WINE	BEER	MIXED BEVERAGES
_____ Copy of TTB COLA _____ Territory Designation Form(s)	_____ Copy of TTB COLA _____ Territory Designation Form(s)	_____ Copy of TTB COLA _____ Territory Designation Form(s) _____ Ingredient List/Statement
1. Brand Name (required)	7. Are you registering a brand recently acquired from another company? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, provide the name of company: _____	<b><i>I hereby declare the above information is true and correct.</i></b>  Print Name _____  Signature _____  Date _____
2. Class & Type (required)		
3. Fanciful Name (if any)		
4. Wine Only (if applicable) Vintage _____ Appellation _____		
5. Will this product be packaged in a non-standard package? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please provide a color photo of the package.		
6. Alcoholic Content (required): Wine - % alcohol by volume _____ Beer - % alcohol by volume _____ Mixed Beverage - % alcohol by volume _____		

**AFFIX ONE COMPLETE SET OF LABELS BELOW (use separate sheet if necessary)**

## GENERAL INSTRUCTIONS

1. This form must be printed or typed, completing numbers 1-7, signed in ink, and submitted to the Ohio Department of Commerce, Division of Liquor Control, Beer and Wine Section, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005.
2. The application must be executed and filed by the person, firm, or corporation who will bottle or import the beer, malt beverage, wine or mixed beverage.
3. Glue one complete set of labels for which approval is requested to the front of this application. If the labels are on can flats or on some other material on which typing is impractical, affix one photo to the application.
4. A copy of the ingredient statement for any mixed beverages must be submitted. This formula will be confidential information and not made public except pursuant to court order or in proceedings before the Liquor Control Commission.
5. A Federal Certificate of Label Approval (COLA) from the Alcohol, Tobacco Tax and Trade Bureau (TTB) must be submitted on all applicable products.
6. You must provide the alcohol content for all product types (see item #6 on the front of this form). Alcohol content for all product types will be shown as Alcohol by Volume.
7. This application must be signed and dated.
8. Registration fees of \$50.00 per item is required. A company check, cashier's check or money order made payable to the Division of Liquor Control must accompany this application.
9. A FULLY COMPLETED APPLICATION, SUPPORTING DOCUMENTATION AND ALL FEES MUST BE SUBMITTED AT THE SAME TIME. Any incomplete submissions will be returned.

## SPECIFIC INSTRUCTIONS

<b>Name, address, telephone # and contact person</b>	Enter your company name and mailing address as it appears on your certificate of registration. Your telephone number must appear on the application in case any clarification is needed.
<b>Type of Application</b>	Check the appropriate box "New", "Label Revision" or "New Size". PREVIOUS APPROVAL DATE MUST BE PROVIDED FOR LABEL REVISION AND NEW SIZE.
<b>Requirements for Label Approval</b>	Check if you are submitting a wine, beer or mixed beverage label and check off the documents you are enclosing.
<b>Fee Structure</b>	All applicants are charged a \$50.00 registration fee for each new item. NO EXEMPTIONS

**ITEMS 1-7 ON THE FRONT OF THIS APPLICATION MUST BE COMPLETED IN FULL.**

**ANY ITEMS LEFT BLANK WILL RESULT IN THE RETURN OF YOUR APPLICATION**



Ohio Department of Commerce  
 Division of Liquor Control  
 Beer and Wine Section  
 6606 Tussing Road, P.O. Box 4005  
 Reynoldsburg, Ohio 43068-9005  
 (614)644-2411

DIVISION USE ONLY

## TERRITORY DESIGNATION FORM

**COMPLETE ONE FORM FOR EACH WHOLESALE DISTRIBUTOR AND PRODUCT BRAND(S)**

SUPPLIER	PERMIT/ REGISTRATION NO.	TELEPHONE NO.	
STREET ADDRESS	CITY	STATE	ZIP
PRODUCT BRAND(S)	DATE REGISTERED IN OHIO		
WHOLESALE DISTRIBUTOR	ADDRESS		

**Type of Filing**       NEW                       AMENDED                       CANCELLED

INDICATE HERE IF DISTRIBUTOR HAS STATEWIDE DISTRIBUTION.

IF DISTRIBUTOR DOES NOT HAVE STATEWIDE DISTRIBUTION, INDICATE THE ASSIGNED COUNTIES:

COUNTY	ALL	PART	COUNTY	ALL	PART	COUNTY	ALL	PART	COUNTY	ALL	PART
Adams			Fairfield			Licking			Portage		
Allen			Fayette			Logan			Preble		
Ashland			Franklin			Lorain			Putnum		
Ashtabula			Fulton			Lucas			Richland		
Athens			Gallia			Madison			Ross		
Auglaize			Geauga			Mahoning			Sandusky		
Belmont			Greene			Marion			Scioto		
Brown			Guernsey			Medina			Seneca		
Butler			Hamilton			Meigs			Shelby		
Carroll			Hancock			Mercer			Stark		
Champaign			Hardin			Miami			Summit		
Clark			Harrison			Monroe			Trumbull		
Clermont			Henry			Montgomery			Tuscarawas		
Clinton			Highland			Morgan			Union		
Columbiana			Hocking			Morrow			Van Wert		
Coshocton			Holmes			Muskingham			Vinton		
Crawford			Huron			Noble			Warren		
Cuyahoga			Jackson			Ottawa			Washington		
Darke			Jefferson			Paulding			Wayne		
Defiance			Knox			Perry			Williams		
Delaware			Lake			Pickaway			Wood		
Erie			Lawrence			Pike			Wyandot		

**If you check part of a county, please be more specific (use separate sheet if necessary):**

I, \_\_\_\_\_, hereby state the above information is true and correct.  
*Print Name*

\_\_\_\_\_

*Signature**Title**Effective Date*

# APPLICATION FOR SOLICITOR REGISTRATION

STATE OF OHIO  
DEPARTMENT OF COMMERCE  
DIVISION OF LIQUOR CONTROL  
BEER AND WINE SECTION  
6606 TUSSING ROAD - P.O. BOX 4005  
REYNOLDSBURG, OH 43068-9005 614-644-2411

(See Instructions on Reverse Side)

## SECTION I EMPLOYER INFORMATION - TO BE COMPLETED BY THE EMPLOYER

### TYPE OF COMPANY - CHECK ALL THAT APPLY

- OHIO MANUFACTURER - REPRESENTING BEER, WINE OR MIXED BEVERAGES
- OHIO DISTRIBUTOR - REPRESENTING A WHOLESALE DISTRIBUTOR OF BEER, WINE OR MIXED BEVERAGES
- OUT OF STATE SUPPLIER - REPRESENTING MANUFACTURERS OF BEER, WINE OR MIXED BEVERAGES
- BROKER - REPRESENTING ALCOHOLIC BEVERAGES OF MANUFACTURERS/IMPORTERS

EMPLOYER (company name)		AREA CODE/TELEPHONE NUMBER	PERMIT NUMBER	
STREET ADDRESS		CITY	STATE	ZIP CODE

SWORN STATEMENT: I \_\_\_\_\_, STATE THE ABOVE INFORMATION IS TRUE AND CORRECT AND THE APPLICANT NAMED BELOW

EMPLOYER NAME, PLEASE PRINT

IS A REPRESENTATIVE OF MY COMPANY.

EMPLOYER SIGNATURE

TITLE

## SECTION II EMPLOYEE INFORMATION - TO BE COMPLETED BY THE EMPLOYEE

NAME	AREA CODE/TELEPHONE NUMBER	DATE OF BIRTH	PLACE OF BIRTH	
ADDRESS	CITY	STATE	ZIP CODE	

### PERSONAL RECORD TO BE COMPLETED BY THE EMPLOYEE

IS APPLICANT EMPLOYED BY AN OHIO RETAIL LIQUOR PERMIT HOLDER? YES  NO

IF YES, IN WHAT CAPACITY? \_\_\_\_\_

HAS APPLICANT EVER BEEN DENIED, HAD REVOKED, OR HAD A RENEWAL REJECTED, ANY TYPE OF LIQUOR PERMIT IN THIS, OR ANY OTHER STATE? YES  NO

IF YES, PLEASE EXPLAIN: \_\_\_\_\_

HAS APPLICANT EVER BEEN CONVICTED OF ANY OFFENSE OTHER THAN A MINOR TRAFFIC VIOLATION? YES  NO

IF YES, A FULL EXPLANATION AND COPY OF CERTIFIED JOURNAL ENTRY, SENTENCE OR DISPOSITION MUST BE ATTACHED.

HAS APPLICANT EVER HELD AN OHIO SOLICITOR'S PERMIT? YES  NO

IF YES, WHEN AND FOR WHAT COMPANY? \_\_\_\_\_

## SECTION III NOTARY SECTION - TO BE COMPLETED BY THE EMPLOYEE

\_\_\_\_\_ BEING DULY SWORN ACCORDING TO LAW, DEPOSES AND SAYS THAT THE STATEMENTS

NAME OF APPLICANT

MADE IN THE FOREGOING APPLICATION ARE TRUE.

APPLICANT SIGNATURE

SWORN TO ME AND SIGNED IN MY PRESENCE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_ YEAR

DAY

MONTH

YEAR

\_\_\_\_\_  
Notary Public

## SECTION IV FEES - PLEASE SUBMIT A CHECK FOR \$50.00 PAYABLE TO THE OHIO DIVISION OF LIQUOR CONTROL

### FOR DIVISION USE ONLY

ID#	DATE ISSUED	SC#	CHECK#	AMOUNT\$
-----	-------------	-----	--------	----------

## INSTRUCTIONS FOR SOLICITOR REGISTRATION

INDIVIDUALS WORKING AS AGENTS, SOLICITORS OR SALESPERSONS IN THE STATE OF OHIO MUST REGISTER AS SOLICITORS IF THEY ARE EMPLOYED BY AN OHIO MANUFACTURER, OHIO DISTRIBUTOR, OUT OF STATE SUPPLIER, VENDOR OR BROKER.

ALL APPLICANTS FOR SOLICITOR REGISTRATION MUST PROVIDE THE FOLLOWING TO THE DIVISION OF LIQUOR CONTROL. **ANY REQUIREMENTS COMPLETED INCORRECTLY OR OMITTED WILL RESULT IN THE APPLICATION BEING RETURNED:**

1. THE APPLICATION FOR SOLICITOR REGISTRATION MUST BE COMPLETED AND SIGNED BY THE APPLICANT AND AN OFFICIAL OF THE COMPANY. IT THEN MUST BE NOTARIZED.
2. THE APPLICANT MUST SUBMIT A LETTER FOR EMPLOYMENT FROM THE COMPANY STATING THAT THE APPLICANT IS EMPLOYED BY THE COMPANY. IT MUST ALSO LIST HIS/HER DUTIES.
3. ALL APPLICANTS MUST SUBMIT A CHECK FOR \$50.00 MADE PAYABLE TO THE OHIO DIVISION OF LIQUOR CONTROL.
4. UPON EMPLOYEE TERMINATION, SOLICITOR CARDS MUST BE RETURNED TO THE OHIO DIVISION OF LIQUOR CONTROL.

IF YOU HAVE ANY QUESTIONS REGARDING THESE INSTRUCTIONS, PLEASE CONTACT THE BEER AND WINE SECTION AT 614-644-2411.

# APPLICATION FOR TASTING BY A MANUFACTURER OR DISTRIBUTOR

Ohio Department of Commerce  
Division of Liquor Control  
Beer & Wine Section  
6606 Tussing Rd., P.O. Box 4005  
Reynoldsburg, OH 43068-9005 614-644-2411

## \* BEER/WINE/LOW PROOF MIXED BEVERAGES \*

### INSTRUCTIONS

- Please complete this form and return it to the above address
- All beverages must be qualified for sale in Ohio
- Five (5) working days (excluding Saturday and Sunday) notice to the division is required prior to the tasting
- No admission charge, donation, or fee to attend a tasting is permissible
- Servings of beer cannot be more than four (4) ounces. Servings of wine or mixed beverages cannot be more than (2) ounces
- The location of the tasting MUST be closed to the general public
- The individual responsible for conducting the tasting must have the proper permits or registration in conjunction with the beverages being tasted, and will be responsible for compliance with all applicable laws and rules.

### MANUFACTURER OR DISTRIBUTOR CONDUCTING THE TASTING (APPLICANT)

COMPANY NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_ AREA CODE AND PHONE NUMBER \_\_\_\_\_

NAME OF MANUFACTURER, DISTRIBUTOR OR BROKER  
REPRESENTATIVE RESPONSIBLE FOR COMPLIANCE \_\_\_\_\_

SOLICITOR'S NUMBER \_\_\_\_\_

SIGNATURE \_\_\_\_\_

### GROUP OR ORGANIZATION FOR WHOM TASTING IS BEING CONDUCTED

NAME OF GROUP OR ORGANIZATION \_\_\_\_\_

AREA CODE AND PHONE NUMBER \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

NAME OF INDIVIDUAL REPRESENTING GROUP OR ORGANIZATION \_\_\_\_\_

SIGNATURE OF INDIVIDUAL REPRESENTING GROUP OR ORGANIZATION \_\_\_\_\_

### PLACE WHERE TASTING WILL BE CONDUCTED

FACILITY NAME AND ADDRESS \_\_\_\_\_ ROOM NUMBER IF APPLICABLE \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

### DATE, TIME, AND SPECIFICS OF TASTING

DATE OF TASTING: \_\_\_\_\_ HOURS OF TASTING: \_\_\_\_\_ NUMBER INVITED TO ATTEND: \_\_\_\_\_

TYPE OF TASTING: \_\_\_\_\_ BEER \_\_\_\_\_ WINE \_\_\_\_\_ MIXED BEVERAGE \_\_\_\_\_

\*\*\*\*\* IF MORE THAN ONE CATEGORY OF BEVERAGE IS TO BE TASTED, INDICATE EACH \*\*\*\*\*

FOR DIVISION USE ONLY:

TASTING IS: APPROVED REJECTED

\_\_\_\_\_  
DIVISION OF LIQUOR CONTROL OFFICIAL

\_\_\_\_\_  
DATE

COMMENTS: \_\_\_\_\_

