

For your information

The Oregon Liquor Control Commission has:

Amended
 Adopted
 Repealed

OAR 845-005-0425
TEMPORARY

Effective Date: January 1, 2008 through June 28, 2008

Note: **Bold and underlined** = new text; *~~strikethrough and italics~~* = deleted text

Delivery of Wine or Cider Directly to Retail Licensees

845-005-0425

Qualifications for Wine Self-Distribution Permit for Wine and Cider

(Note: from 2007 Oregon Laws, Chapter 651 and HB 2677) ORS 471.xxx allows a manufacturer of wine or cider with a Wine Self-Distribution Permit to sell and ship wine and cider that the manufacturer produced directly to the Commission or to retail licensees of the Commission who hold a valid endorsement issued by the Commission authorizing receipt of wine or cider from the holder of a Wine Self-Distribution Permit. This rule sets the qualifications to obtain a Wine Self-Distribution Permit.

(1) In order to qualify for a Wine Self-Distribution Permit, a person must:

(a) Hold a valid license issued by another state within the United States that authorizes the manufacture of wine or cider;

(b) Hold a valid Certificate of Approval issued under ORS 471.289; and

(c) Hold a bond or other security, as described in ORS 471.155, in the minimum amount of \$1,000.

(2) Application. A person must make application to the Commission upon forms to be furnished by the Commission and receive a Wine Self-Distribution Permit from the Commission before shipping any wine or cider directly to retail licensees of the Commission. The application shall include:

(a) A true copy of the applicant's license and any information required by the Commission to establish that the license authorizes the manufacture of wine or cider;

(b) A statement that the person understands and will follow the requirements listed in OAR 845-006-0400;

(c) Proof of a valid Certificate of Approval issued under ORS 471.289;

(d) A \$100 fee; and

(e) Proof of posting a bond or other security, as described in ORS 471.155, in the minimum amount of \$1,000.

(3) The Commission may refuse to process any application required under this rule that is not complete and accompanied by the documents or disclosures required by the form. The Commission shall give applicants the opportunity to be heard if the Commission refuses to process an application. A hearing under this subsection is not subject to the requirements for contested case proceedings under ORS chapter 183.

(4) The Commission may revoke or refuse to issue or renew a Wine Self-Distribution Permit if the permit holder or applicant fails to qualify for the permit under this rule or a refusal basis applies under ORS Chapter 471 or any other rule of the Commission and good cause does not overcome the refusal basis.

Stat. Auth.: ORS 471, including ORS 471.030, 471.040 & 471.730(1) & (5)
Stats. Implemented: ORS 471.xxx

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