

AT-A-GLANCE

OAR 845 – Division 5 & 6 Distillery Package

Final Action

(To adopt 2 rules)

August 2009

These two rules describe the qualifications and the requirements a distillery licensee must meet in order to provide tastings on its premises or on another premises owned or leased by the licensee. The 2007 legislature passed Senate Bill (SB) 451, effective January 1, 2008. Senate Bill 451 amended ORS 471.230 removing the restriction that permitted tastings of only brandy or pot distilled liquor. This statutory change, which opens up the possibility of tasting rooms to a lot more distillery licensees, prompted the Commission to initiate rulemaking to address the basic guidelines these tasting rooms must follow.

One of the 2 proposed rules, OAR 845-005-0431, is in Division 5 (licensing) and sets the qualifications a distillery licensee must meet to conduct tastings open to the public. The other, OAR 845-006-0452, is in Division 6 (regulations) and sets the corresponding requirements that a qualified distillery licensee must follow. (Note: the proposed rule numbers have been changed slightly since the Commission initiated rulemaking on this matter. This is because the Commission was notified by the Secretary of State that the original rule numbers are no longer available since they were used for the original temporary rules on this matter which were subsequently repealed.)

Staff recommends a slightly delayed effective date in order to give distillery licensees who currently run tasting rooms time to get their application for tastings approved before the new rules take effect.

SUGGESTED MOTION:

I move to adopt OAR 845-005-0431 & OAR 845-006-0452, effective November 1, 2009.