



News Release

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Changing the statute is the only true solution to Home Brew/Winemaking issue

Portland, OR. – Earlier this spring, the Oregon Liquor Control Commission was contacted by a licensee to see if they could include home brewers in an event on their licensed premises. At that time, the OLCC requested a Department of Justice legal opinion to see if there was any legal way to allow this under the current statute (ORS 471.403). The resulting legal interpretation was that under the current statute, home brewers lost their exemption to brew without a license once the product left the home.

Searching for solutions that would allow home brew and wine competitions to be held this summer, the OLCC asked DOJ to take a deeper look at this issue. After consulting DOJ general counsel, we have reached the unfortunate conclusion that no practical alternative exists to allow the home brew competitions legally within the framework of our existing statutes.

“We were really hoping that we could find a legal alternative for this summer’s events,” says Rudy Williams, OLCC Deputy Director of Public Safety Services. “We know that these contests serve as a springboard for professional hopefuls. That is why we are committed to providing our full support to the legislature to find a permanent fix for this issue in 2011.”

In order to provide tastings at public events, one must obtain the appropriate manufacturers license and the event must be held at an annually licensed location (per ORS.471.402). The OLCC recognizes that the process of obtaining the required licenses could be burdensome for home brewers and wine makers. For these reasons, the OLCC is cognizant that it is not a practical alternative for this season. In addition, under ORS 471.403(2) and (3), products can be made at a licensed location under their staff supervision. However, the beverages cannot be consumed at the licensed business. Neither of these statutes applies to products that were previously produced by home brewers or winemakers in their homes.

OLCC researched many options to allow the contests to continue this year. The OLCC recognized early on that the only true solution is a legislative fix that needs to come from changing the statute in the next legislative session. Although there doesn’t appear to be an easy remedy for this summer, OLCC is working with legislators to create a permanent solution for next year and years after.

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