



**BREWERY (BRW) PRIMARY LICENSE PRIVILEGES
 COMPARED TO
 BREWERY-PUBLIC HOUSE (BP) PRIMARY LICENSE PRIVILEGES**

		Brewery License	Brewery-Public House License
Oregon Revised Statute (ORS)		471.221	471.200
OLCC annual license fee		\$1,000	\$500
Eligible to manufacture malt beverages?		Yes	Yes
Eligible to import malt beverages into Oregon?		Yes, but only malt beverages of a brand produced by a manufacturer that is under common control with the brewery licensee. "Common control" is defined in 471.221.	No
Eligible to export malt beverages out of Oregon (Oregon has no requirements to export; but the state or country outside of Oregon may have requirements)?		Yes, but only malt beverages produced on the licensed premises or of a brand produced by a manufacturer that is under common control with the brewery licensee.	Yes, but only malt beverages made at the licensed premises
Requirement for privilege tax bond		Yes	Yes
Distribution	Eligible to distribute malt beverages to a Wholesale Malt beverages and Wine (WMBW) licensees of the OLCC?	Yes	Yes
	Eligible to distribute malt beverages to OLCC licensees who are other than a WMBW but who are <u>the same licensee of record</u> as the Brewery or Brewery-Public House licensee?	Not directly; must use a WMBW licensee.	Yes. See 471.200(1)(i).
	Eligible to distribute malt beverages to OLCC licensees who are other than a WMBW and who are <u>not</u> the same licensee of record as the Brewery or Brewery-Public House licensee?	Not directly; must use a WMBW licensee.	Yes, see 471.200(2). May distribute to licensees in Oregon up to 7,500 barrels in a calendar year of malt beverages produced by the licensee. Any amount over 7,500 barrels and any malt beverages not produced (such as by a custom order agreement) by the licensee must be distributed through a WMBW licensee.
	Eligible to distribute malt beverages directly to its own 2 nd and 3 rd location?	Not directly; must use a WMBW licensee.	Yes, see 471.200(1)(i).



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On-premises consumption	Sell/serve malt beverages for consumption on the premises?	<ul style="list-style-type: none"> • Yes (any malt beverages); and • May sell malt beverages at retail at no more than 3 locations in Oregon 	Yes (any malt beverages)
	Sell/serve wine and cider for consumption on the premises?	Yes	Yes
Off-premises consumption	Sell malt beverages in factory-sealed containers, including kegs, for consumption off the premises?	<ul style="list-style-type: none"> • Yes (any malt beverages); and • May sell malt beverages at retail at no more than 3 locations in Oregon 	Yes (any malt beverages)
	Sell wine and cider in factory-sealed containers, including kegs, for consumption off the premises?	Yes	Yes
	Sell malt beverages in "growlers" for consumption off the premises?	<ul style="list-style-type: none"> • Yes (any malt beverages); and • May sell malt beverages at retail at no more than 3 locations in Oregon 	Yes (any malt beverages)
	Sell wine and cider in "growlers" for consumption off the premises?	Yes	Yes
Eligible to obtain a "2 nd location" and/or "3 rd location" license?		Yes, but with limited privileges	Yes, but can't manufacture at the 2 nd or 3 rd location
Eligible to obtain, or have an interest in, other OLCC-issued annual licenses?	Full On-Premises Sales	Yes, but only at 1 st , 2 nd , and/or 3 rd location	Yes
	Limited On-Premises Sales	No (unless an exception in ORS 471.396 applies)	Yes
	Off-Premises Sales	No (unless an exception in ORS 471.396 applies)	No (unless an exception in ORS 471.396 applies)
	Wholesale Malt beverages and Wine (WMBW)	Yes	No (unless an exception in ORS 471.200 (10) or 471.396 applies)
	Warehouse	Yes	Yes
	Winery	Yes, but only if the winery holds a valid producer and blender permit from the TTB and uses the premises to produce wine or cider	Yes
	Distillery	Yes	Yes
	Brewery	Yes	No (unless an exception in ORS 471.200 (10) or 471.396 applies)
	Brewery-Public House	No (unless an exception in ORS 471.200 (10) or 471.396 applies)	No (unless an exception in ORS 471.200 (10) or 471.396 applies)
Eligible to obtain	Special Event	Yes	No



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a "special event" license?	Brewery (SEB)		
	Special Event Brewery-Public House (SEBPH)	No	Yes
	Temporary Sales License (TSL)	No	Yes
	Other special licenses	No	No
Eligible to share the same licensed premises with:	A Brewery	Yes	No
	A Brewery-Public House	No	<ul style="list-style-type: none"> • Yes, but only if ORS 471.200(4)(b) is followed. • Note: Because all licensees must still follow the prohibited financial assistance, it is likely that only one licensee may exercise retail privileges at the premises
Eligible to deliver "direct to consumer" (DTC)	Malt beverages	Yes, and must follow OAR 845-006-0396	Yes, and must follow OAR 845-006-0396
	Wine and cider	Yes, and must follow OAR 845-006-0392	Yes, and must follow OAR 845-006-0392
Required to meet Alcohol Server Education and Service Permit requirements		<ul style="list-style-type: none"> • Yes: If allow patrons to consume alcohol (including tastings) on the premises. • No: If don't allow patrons to consume alcohol on the premises (including no tastings). 	Yes (even if not allowing patrons to consume alcohol, including tastings, on the premises)
Required to meet Liquor Liability Insurance requirements		<ul style="list-style-type: none"> • Yes: If allow patrons to consume alcohol (including tastings) on the premises. • No: If don't allow patrons to consume alcohol on the premises (including no tastings). 	Yes (even if not allowing patrons to consume alcohol (including tastings) on the premises)
Federal Alcohol and Tobacco Tax and Trade Bureau (TTB) requirement?		Need to check with the TTB	Need to check with the TTB
TTB Brewer's Notice required by the OLCC?		No	Only if two or more Brewery-Public House licensees will be licensed at the same address
Custom order agreements under OAR 845-006-0410	Use to produce malt beverages for a Full On-Premises, Limited On-Premises, Off-Premises, or Temporary Sales License?	<ul style="list-style-type: none"> • No: if the licensees are not the same licensee of record. • Yes: only for a Full On-Premises who is the <u>same licensee of record</u> as the Brewery licensee. 	<ul style="list-style-type: none"> • No: if the licensees are not the same licensee of record. • Yes: only for a Full On-Premises, Limited On-Premises, or Temporary Sales Licensee when all licensees are the <u>same licensee of record</u> as the Brewery-Public House licensee.
	Use to produce malt beverages for a Brewery licensee?	Yes	Yes, and must follow 845-006-0410(5)(c).
	Use to produce malt beverages for a Brewery-	<ul style="list-style-type: none"> • Yes, and must follow 845-006-0401(4)(b). • NOTE: the receiving BP licensee 	<ul style="list-style-type: none"> • Yes, and must follow 845-006-0401(5)(b). • NOTE: the receiving BP licensee



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	Public House licensee?	may only sell at retail or distribute using a WMBW licensee as ORS 471.200 doesn't allow the receiving BP to distribute these malt beverages.	may only sell at retail or distribute using a WMBW licensee as ORS 471.200 doesn't allow the receiving BP to distribute these malt beverages.
	Use to produce malt beverages for a Grower Sales Privilege, Warehouse, Wholesale Malt beverages and Wine, or Winery licensee?	Yes	Yes, and must follow 845-006-0401(5)(c).