

ATC

Alcohol & Tobacco Control

Guide to Special Event & Homebrew Permits

General Information

- A *special event* is an event held at any location where alcoholic beverages are served as an *incidental part* of the event for payment rendered or are supplied as part of a general admission or other type fee.
- For *special events*, ATC will issue a special, temporary retail alcoholic beverage permit for the duration of *up to three (3) consecutive days only*. However, licensed alcoholic beverage wholesale dealers may deliver alcoholic beverages to an event location up to two (2) days prior to the effective date on the permit. Alcoholic beverages cannot be delivered to any location other than the address on the special event application.
- A maximum of twelve (12) Special Event permits may be issued to any one person, partnership, corporation, or entity within a single calendar year.
- All special event permits, regardless of type, are **retail alcoholic beverage** permits. Manufacturers, wholesale dealers, homebrewers or any association with a membership that is primarily comprised of alcoholic beverage manufacturers, wholesale dealers, and/or homebrewers **do not qualify** for a special event permit.
- Alcoholic beverage manufacturers, wholesale dealers and homebrewers may provide samples of alcoholic beverages at special events in accordance with the sampling regulations (*see sampling regulations below*).
- Manufacturers and wholesale dealers *may* donate alcoholic beverages to holders of **Type A** special event permits only.
- Manufacturers and wholesale dealers providing equipment or services to special event permit holders must charge the permit holder for all equipment used and services rendered in an amount at least equal to that as listed in the special event regulations (*see industry member pricing list below*).
- Special event permit holders may return unused product at the conclusion of the event for cash or credit refund.
- Special event permits will not be issued to any person or entity that has had any type of alcoholic beverage permit revoked within 2 years prior to the application date.

- Special event permit holders who fail to comply with the applicable statutes and regulations attached may be prohibited from obtaining a special event permit for a period of (2) years/or may be subject to monetary penalties.
- The Louisiana Responsible Vendor Program does not apply to Type A or Type B special event permit holders. However, ATC strongly encourages participation in the Responsible Vendor Program by any person who will sell or serve alcoholic beverages. Information on the Responsible Vendor Program and class schedules are available on our website at www.atc.la.gov under “permits” then “responsible vendor.” Any server who is not responsible vendor certified and who sells or serves an alcoholic beverage to a person under the age of 21 years will be issued a misdemeanor citation whereas servers who are responsible vendor certified will be issued an administrative citation.
- **NOTE:** Special events do not include private parties where no sales are made or fee charged, and where the only purpose in applying is to obtain product or services from a wholesale dealer.

How To Apply For A Special Event Permit

- Special Event applications are available on the ATC website at www.atc.la.gov under “permits” then “alcohol applications” then “special event & homebrew.”
- Special Event applications can be completed and submitted online via the ATC website or you can download and complete a hard copy of the application to submit via mail to P.O. Box 66404, Baton Rouge, Louisiana 70896 or in person at one of the three ATC customer service windows (*see the “contact us” page on our website for directions and office hours*).
- **All special event applications must be submitted at least (10) days prior to the event.**
- All information provided on the application **must match** the information on all of the documents submitted. The dates and locations of **must be exactly the same** on all local and state documents and lease (if applicable).

Special Event Permit Fees and Payment Information

- Permit Fees
 - Type A Special Event Permits No Charge
 - Type B Special Event Permits \$10.00
 - Type C Special Event Permits \$100.00
- NO REFUNDS will be made once this application packet and fees have been submitted.

- ATC accepts credit cards (Master Card, Visa and American Express), money orders, cashier's checks, and certified checks.
- Make all payments payable to the Office of Alcohol and Tobacco Control.

Types Of Special Event Permits and Requirements

There are 3 Types of Special Event Permits:

- **Type A** special event permits shall be issued only to nonprofit organizations with tax exempt status under the United States Internal Revenue Code, Sections 501(c)(3), 501(c)(6) and 501(c)(8), where no transactions exist, whether directly or indirectly, between the licensed tax exempt organizations and any disqualified person as defined by the United States Internal Revenue Code Section 4958(f) or any similar subsequent provision. There is no fee for this permit.
 - Manufacturers and wholesale dealers may donate alcoholic beverages to Type A permit holders.
 - Type A special events may be held on the premises of a licensed alcoholic retail dealer **IF all of the following apply:**
 - The special event permit is applied for and obtained in the name of a qualifying non-profit organization; and
 - The qualifying non-profit organization is not affiliated with an alcoholic beverage wholesale dealer or manufacturer; and
 - The qualifying non-profit organization must return or remove all unused alcoholic beverage products donated to or obtained by the non-profit at the conclusion of the conclusion of the event; and
 - The qualifying non-profit organization must maintain records of:
 - The total amount of alcoholic beverages purchased or donated for the event;
 - The total amount of alcoholic beverages sold or served during the event; and
 - The total amount of alcoholic beverages removed or returned at the conclusion of the event; and
 - Any and all signage, equipment or other items provided by an alcoholic beverage manufacturer or wholesale dealer in relation to the non-profit special event shall be removed from the retail dealers premises immediately upon conclusion of the event;
 - The retail permit holder of the event premises is not an alcoholic beverage manufacturer; and
 - 100% of all proceeds, less fair market value expenses, generated by or in connection with the event shall be paid to the holder of the Type A special event permit; and
 - The retail permit holder of the event premises shall receive no proceeds, alcoholic beverage products, sponsorship dollars, promotional items or other items of value other than a reasonable rental fee at fair market value; and

- All alcoholic beverage trade practice regulations apply with respect to retail permit holder of the event location.
- **Type B** special event permits shall be issued only to nonprofit organization, which are able to provide written proof of their tax exempt status, but are unable to show written proof of their tax exempt status under the United States Internal Revenue Code, Sections 501(c)(3), 501(c)(6) or 501(c)(8) and no transactions exist, whether directly or indirectly, between the licensed tax exempt organizations and any disqualified person as defined by the United States Internal Revenue Code Section 4958(f) or any similar subsequent provision. There is a \$10.00 fee for this permit.

NOTE: For the purpose of Type A and Type B special event permits, the term *disqualified person* means:

- (A) Any person who was, at any time during the 5-year period ending on the date of such transaction, in a position to exercise substantial influence over the affairs of the organization; or
- (B) A member of the family of an individual described in subparagraph (A); or
- (C) A 35-percent controlled entity.
- **Type C** special event permits shall be issued to persons holding events where alcoholic beverages are sold or supplied as part of a general admission or other type fee, but who do not meet the requirements for Type A or Type B temporary permits. There is a \$100.00 fee for this permit.
 - All alcoholic beverage trade practice laws and regulations apply to the holders of Type C special event permits.
 - Type C special event permits cannot receive sponsorships or any other thing of value from alcoholic beverage manufacturers and/or wholesale dealers, except as expressly allowed for in the Louisiana trade practice regulations (available at www.atc.la.gov under “resources” then “legal/ATC fines” then “Policy Documents & Notifications” then “Trade Practice Handbook.”
 - Applicants for Type C special event permits must meet the following suitability requirements:
 - Be a person of good character and reputation and over eighteen years of age. In considering a person's good character or reputation, the commissioner may consider a person's arrests in determining suitability.
 - Be the owner of the premises or have a bona fide written lease therefor.
 - Have not been convicted, or be the spouse of a person convicted, of distributing or possessing with the intent to distribute any controlled dangerous substance classified in Schedule I of R.S. 40:964, on any premises licensed pursuant to this Title, where the applicant held or holds an interest in the licensed business. The prohibition provided for in this Subsection shall be for the lifetime of the offender.

- Have not been convicted, or be the spouse of a person convicted, of a felony under the laws of the United States, the state of Louisiana, or any other state or country.
- Have not been convicted, or be the spouse of a person convicted, in this or in any other state or by the United States or any other country of soliciting for prostitution, pandering, letting premises for prostitution, contributing to the delinquency of juveniles, keeping a disorderly place, or illegally dealing in controlled dangerous substances.
- Not owe the state or the local governmental subdivisions in which the application is made any delinquent sales taxes, penalties, or interest, excluding items under formal appeal pursuant to applicable statutes.

Homebrew

Homebrew means the brewing of beer, mead and other alcoholic beverages through fermentation in a residence or other authorized facility by a person of the lawful age to purchase alcoholic beverages on a small scale, not to exceed one hundred gallons per calendar year for a household with one resident of the lawful age to purchase alcoholic beverages or two hundred gallons for a household with two or more residents of the lawful age to purchase alcoholic beverages as a hobby for personal consumption by that person or his or her family, neighbors, guest and friends.

Homebrew shall not be sold or offered for sale and the person who makes the homebrew or any association of persons who make the homebrew shall not receive any compensation or any other thing of value, whether directly or indirectly, other than trophies, plaques, certificates, ribbons, medals or similar awards of nominal value, from any club meetings, organized affairs, exhibitions, competitions or other events where the homebrew is sampled in accordance with the sampling regulations.

Homebrew can be served or sampled in the following three ways:

- By the homebrewer to his family, neighbors, guests or friends at his residence or other facility authorized under the federal regulations – ***No ATC permit is required.***
- At homebrew club meetings, organized affairs, exhibitions or competitions held on the premises of a Class A permit holder (restaurants or bars) where the permit holder has obtained the free special homebrew permit where homebrew is not served to the general public or patrons of the restaurant or bar, and where no fee is charged to attend the club meetings, organized affairs, exhibitions or competitions held at the retail outlet - ***The Class A (restaurant or bar) permit holder must obtain a homebrew permit. There is no fee for this permit and the application is included in the special event application.***
- For any other noncommercial reasons at special events where a special event permit has been obtained by the holder of the special event (not the homebrewer). Homebrew can only be sampled at special events in accordance with the current sampling regulations. – ***The qualified person or entity holding the event obtains a special event permit and no additional homebrew permit is needed. Participating homebrewers should submit a “Notice to Conduct Sampling” and shall comply with all other sampling regulations (see sampling regulations below).***

Sampling Regulations

Beer, wine, or beverage alcohol sampling for the purpose of allowing a customer to taste a brand of beverage alcohol must be conducted on any premises holding a Class A, Class B or Special Event retail permit.

- A retail dealer, wholesaler, manufacturer or homebrewer may furnish the beer, wine, or beverage alcohol to be sampled and the cups to hold the beverages. The wholesaler or manufacturer may also provide and display point-of-sale material in an amount not to exceed \$150 in value. The display materials shall only be placed inside of the facility and shall not block the aisles or other entrances or exits.
- No retail dealer, wholesaler, manufacturer or homebrewer shall furnish a sampling of beverage alcohol in a greater quantity than two ounces per brand of beverage alcohol to each individual and no individual shall consume more than two ounces of each brand of beverage alcohol provided at the sampling. The sampling of a beverage alcohol having an alcoholic content of more than 23 percent by volume shall be limited to one-half ounce per serving per individual.
- All samplings shall be limited in duration to one day.
- No more than two samplings per brand of beverage alcohol shall be conducted on the same licensed premises in any month.
- The retail dealer, wholesaler, or manufacturer shall provide the Office of Alcohol and Tobacco Control with written notice of the date, time, place, permit number and brand of beverage alcohol to be sampled at least one week prior to the date of the sampling (*this form is available at www.atc.la.gov under “permits” then “alcohol applications” then “on-site samplings”*).

Industry Member Pricing List

When the holder of a special event permit of any type calls upon an industry member to service an event, the industry member must charge the permit holder for all equipment used and services rendered in an amount at least equal to that listed as follows:

- labor—at a rate equal to that required as a minimum wage under the Federal Wage and Hour Law;
- self-contained electric units in which the beer container is refrigerated within the unit—\$25 per day; electric unit in which the beer container sits outside the cooling unit—\$25 per day;
- picnic pumps—\$10 per day or may be sold to the permit holder in accordance with Subsection j below;
- tubs—\$10 per day or may be sold to the permit holder in accordance with subsection j. below;
- cold plates—\$25 per day;
- trucks designed to handle packaged beer without refrigeration—\$30 per day;

- refrigerated trucks or mobile units such as trailers or other vehicles designed to handle package or draught beer—\$100 per day;
- cups, ice, additional CO₂ gas, gas picnic pumps, tubs and similar supplies and equipment—cost to industry member;
- alcoholic beverages—at the price available to all other retail dealers in alcoholic beverage, (except that alcoholic beverages may be donated to Type A special event permit holders);
- stages, including labor to erect—\$200 per day; and
- tents, including labor to erect:
 - 12' x 12' or smaller—\$30 per day;
 - larger than 12' x' 12'—\$50 per day.

Equipment such as that listed above may not be furnished to regular licensed retail dealers unless the dealer acquires a temporary special event permit. Equipment may not be provided by a wholesaler for functions where no permit is issued but beer is acquired from a retail dealer, such as private parties or receptions.