



COLORADO

Department of Revenue

Enforcement Division - Liquor & Tobacco

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BULLETIN 15-03

REFERENCE: WHOLESALE LICENSE FOR WINE/SPIRITS MANUFACTURERS

July 23, 2015

Colorado Liquor Enforcement Division

In 2012, the Liquor Enforcement Division (Division) interpreted the law to say a wine or spirits manufacturer (found under Section 12-47-402, C.R.S) did not need a wholesale license to self-distribute and representatives from the Division communicated this information to some distilleries. This decision was contrary to a long-standing position that required manufacturers to obtain a wholesale license for self-distribution. [Note – this does not affect limited wineries licensed under Section 12-47-403, C.R.S.]

Last year, the Division was asked to review this interpretation. A thorough analysis (with the Attorney General's Office) was completed late last year and it was determined the previous interpretation was not correct and the Division reversed this decision. This bulletin does not provide the full explanation of this ruling due to its complexity. You can contact the Division for more information if needed. The Division reached out to those known distilleries that could be affected and advised them of the change.

It now appears this communication did not reach all those who may have been affected, so this bulletin is to communicate the Division's position and to explain how to move forward. All wine and spirits manufacturers who self-distribute must obtain a wholesale license with the following parameters:

1. Apply for the wholesale license prior of the next renewal of the manufacturer license.
2. No administrative action will be taken for those who are not currently in compliance with this ruling and apply for a wholesale license by the next renewal.
3. The Division will waive the application fee to those licensees who were told they did not need a wholesale license to self-distribute.
4. The licensee must apply for the wholesale license prior to the next renewal to be exempt from administrative action, unless they receive an extension from the Director.

The Division appreciates your patience during this process change and if you have any additional questions, please contact us at 303-205-2306.