

2016 Liquor Rules Working Group

Powdered Alcohol Subgroup Recommendations

Red Line

09-21-16

REGULATION 47-940. POWDERED ALCOHOL – PACKAGING AND LABELING.

ANY MANUFACTURED PACKAGE OF POWDERED ALCOHOL AS DEFINED IN SECTION 12-47-103(23.7), C.R.S. SHALL HAVE THE FOLLOWING WORDS:

THIS PRODUCT CONTAINS ALCOHOL

IN A BOLD-FACE FONT AT LEAST ¼ INCH IN HEIGHT, WHICH IS A PART OF THE PERMANENT MANUFACTURED PACKAGING OF THE POWDERED ALCOHOL PRODUCT.

EACH PACKAGE THAT CONTAINS POWDERED ALCOHOL SHALL BE CHILD RESISTANT. FOR THE PURPOSE OF THIS REGULATION, "CHILD RESISTANT" MEANS PACKAGING THAT IS:

- A. DESIGNED OR CONSTRUCTED TO BE SIGNIFICANTLY DIFFICULT FOR CHILDREN UNDER FIVE (5) YEARS OF AGE TO OPEN AND NOT TOO DIFFICULT FOR NORMAL ADULTS TO USE PROPERLY.
- B. RESEALABLE.

Regulation 47-942. Powdered Alcohol Regulation.

~~Pursuant to section 12-47-401(2), C.R.S., "if the federal alcohol and tobacco tax and trade bureau [(the "TTB")] approves the purchase, sale, possession, or manufacturing of powdered alcohol in the United States, the State Licensing Authority shall adopt rules establishing a mechanism for regulating the manufacture, purchase, sale, possession and use of powdered alcohol." The TTB has granted label approval for powdered alcohol products in the United States. The State Licensing Authority will engage in a process and adopt rules in order to establish a comprehensive mechanism to regulate the manufacture, purchase, sale, possession and use of powdered alcohol in Colorado by January 1, 2017. Until such mechanism is established and rules are adopted by the State Licensing Authority, the manufacture, purchase, sale, possession, and use of powdered alcohol is prohibited.~~

PURSUANT TO SECTION 12-47-103(36), C.R.S. POWDERED ALCOHOL IS DEFINED AS A SPIRITUOUS LIQUOR; THEREFORE ALL REGULATIONS PERTAINING TO SPIRITUOUS LIQUOR APPLY TO POWDERED ALCOHOL.

POWDERED ALCOHOL AS DEFINED IN SECTION 12-47-103(23.7), C.R.S. WHICH IS NOT MANUFACTURED AND INTENDED FOR USE AS AN ALCOHOL BEVERAGE SHALL NOT BE SUBJECT TO REGULATIONS SET FORTH IN 1 C.C.R. 203-2. USES MAY INCLUDE (BUT ARE NOT LIMITED TO) INDUSTRIAL, RESEARCH HOSPITALS, EDUCATIONAL INSTITUTIONS, AND PHARMACEUTICAL OR BIOTECHNOLOGY COMPANIES CONDUCTING BONA FIDE RESEARCH.

POWDERED ALCOHOL SOLD OR DISPENSED AT A BUSINESS LICENSED FOR ON-PREMISES CONSUMPTION MUST BE RECONSTITUTED AS INSTRUCTED ON THE LABEL PRIOR TO BEING SERVED.

FOR THE PURPOSE OF THE COLORADO LIQUOR RULES, 1 C.C.R. 203-2, THE LIQUID VOLUME OF POWDERED ALCOHOL SHALL BE THE AMOUNT OF LIQUID AS DIRECTED ON THE MANUFACTURED PACKAGING FOR EACH POWDERED ALCOHOL PRODUCT.

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