



15 May 2020

Dear Honorable members of Colorado Counties Incorporated,

On behalf of the small and independent Colorado craft breweries, I am writing to you to let you know that we are looking forward to being your partner in your local reopening plans. Our members are committed to keeping their employees and communities safe. They employ over 8,000 people across the state and have a \$3.3 billion dollar economic impact.

Below you will find some information on manufacturing breweries and brew pubs to help in your deliberations on reopening businesses.

### **Colorado State Licenses**

(references are to the Colorado Liquor Code

<https://www.colorado.gov/pacific/sites/default/files/Liquor%20Code%202019%203.2020%20%281%29.pdf>)

**Brewery manufacturer license** (44-3-402) gives manufacturers the ability to brew beer.

**Wholesale sales room permit** (44-3-407 (III) (A)) gives manufactures the ability to sell beer and other food in a tasting room.

**Brew pub license** (44-3-417) - restaurant with beer manufacturing privileges, must have at least 15% of on premises sales come from food.

**Tavern license** (44-3-414) - full selection of beer, wine, and spirituous liquors, must serve "sandwiches and light snacks."

**Beer and Wine license** (44-3-411) - beer and wine, but no spirituous liquor, must serve "sandwiches and light snacks."

- Taverns and beer and wine licensees are "bars" as commonly understood.

**Hotel and Restaurant license** (44-3-413) - full selection of beer, wine, and spirituous liquors, must have at least 25% sales from food. This is the license that most "restaurants" have.

### **Fast Facts**

- Breweries with a wholesale sales room permit are not bars.
- Though not a specific requirement of their license, most manufacturing breweries with a wholesale sales room offer the same food offerings as restaurants and brew pubs either through on-site preparation or by partnering with local food trucks.
- Brew pubs are licensed by both the state and the local licensing authorities, similar to restaurants, and are under the enforcement of jurisdiction of each body.

- Breweries with a wholesale sales room are licensed by Colorado Department of Revenue Liquor Enforcement Division, with local input, and are subject to oversight and enforcement by the same.
- Breweries and brew pubs pay a substantial amount of sales, property, and excise taxes to the local and state governments.
- The longer these businesses are closed for onsite consumption, the less likely they will be able to reopen (if ever). In a recent survey, 63% of Colorado breweries stated that they would likely only be able to sustain 1-3 months with the current restrictions and Federal support.
- The majority of sales rooms close by 10pm.

### **Recommendations for Reopening**

- Allow for on-site consumption at breweries with a wholesale sales room and brew pubs in alignment with restaurant guidances, including capacity restrictions, party sizes, and other requirements.
- Follow all of CDPHE's guidance for essential and non-essential businesses regarding masks, signage, employee health checks, congregation of crowds, customers waiting in lines, etc.
- Require 6 feet between each table.
- Bar seating should be limited to parties of two with six feet between parties.
- Customers are to remain seated unless entering/exiting or using the restrooms.
- No games (remove/close darts, pool tables, etc.) that promote congregating or moving around the business.

If you have further questions regarding breweries or brew pubs, please don't hesitate to contact me. I am happy to engage in a conversation on how they may fit into your reopening plans.

Sincerely,



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