

MICHIGAN LIQUOR CONTROL CODE OF 1998 (EXCERPT)
Act 58 of 1998

436.1411 Brewer not licensed as micro brewer; sale of beer for on-premises consumption on licensed brewery premises; limitations; "engages in the production of beer" defined.

Sec. 411. (1) Subject to the requirements of this section and section 537, a brewer or micro brewer may sell beer it manufactured for consumption on or off the premises at an approved tasting room under section 536 if the tasting room is located on licensed brewery premises where the brewer or micro brewer manufactures.

(2) The sale of beer under subsection (1) is subject to all of the following limitations:

(a) A brewer that is not licensed as a micro brewer and that produces in total 120,000 barrels of beer or more per year may sell its beer for on-premises consumption at not more than 2 approved tasting rooms in this state.

(b) A brewer that is not licensed as a micro brewer and that produces in total fewer than 120,000 barrels of beer per year may sell its beer for on-premises consumption at not more than 3 approved tasting rooms in this state.

(c) A licensed micro brewer that produces in total fewer than 30,000 barrels of beer per year may sell its beer for on-premises consumption at any of its approved tasting rooms in this state.

(d) A licensed micro brewer that produces in total 30,000 barrels of beer or more per year may sell its beer for on-premises consumption at not more than 3 approved tasting rooms in this state.

(3) Subject to the limitations in subsection (2), if a brewer or micro brewer has more than 1 licensed brewery premises, that brewer or micro brewer may sell beer that it has produced at 1 licensed brewery premises at an approved tasting room located on any of its other licensed brewery premises if 1 of the following requirements is met:

(a) The licensed brewery premises that receives the beer, on which the approved tasting room is located, has an installed and functional multivessel system capable of producing and fermenting at least 3 barrels of wort in a single batch.

(b) The licensed brewery premises that receives the beer, on which the approved tasting room is located, produces a volume of beer equivalent to 50% of the volume of beer sold to consumers at that tasting room.

(c) The licensed brewery premises that receives the beer, on which the approved tasting room is located, submitted an application for licensure at that location before October 1, 2018.

(d) The licensed brewery premises that receives the beer, on which the approved tasting room is located, is a location that was approved by the commission as a wine tasting room under section 537 before October 1, 2018 for which an application was received after October 1, 2018 to transfer the wine tasting room to the same person who is applying for a micro brewer license at this location. The application for licensure as a micro brewer at this location must have been submitted before January 30, 2019 and the wine tasting room location must be actively operated at the time the micro brewer license is issued.

History: Add. 2000, Act 395, Imd. Eff. Jan. 8, 2001;—Am. 2011, Act 298, Imd. Eff. Dec. 22, 2011;—Am. 2014, Act 44, Imd. Eff. Mar. 25, 2014;—Am. 2018, Act 403, Imd. Eff. Dec. 19, 2018;—Am. 2020, Act 219, Imd. Eff. Oct. 16, 2020.