



BREWERIES, WINERIES AND DISTILLERIES

The purpose of this guidance document is for determining regulatory responsibilities of breweries, wineries and distilleries. On September 1, 2017, a new law went into effect allowing alcohol manufacturers to sell their product directly to the public. With this new law, many breweries, wineries and distilleries have decided to make food service a part of their operation.

The Georgia Department of Agriculture's Food Safety Division, Manufactured Food Section regulates the manufacturing and wholesale distribution of breweries, wineries and distilleries when the product is sold in packaged form outside the four walls of the firm. Because of the new law, certain brewery, winery or distillery operations may fall under the jurisdiction of multiple agencies. The following information will be used in determining whether a brewery, winery or distillery (BWD) is required to obtain a food service permit from the local board of health in addition to a food sales establishment license from the Georgia Department of Agriculture (GDA):

Georgia Department of Agriculture will retain sole regulatory responsibility when:

- The BWD manufactures & packages the alcohol for off-site **wholesale** distribution only; OR
- The BWD manufactures & packages the alcohol for off-site **wholesale** distribution and on-site sales/tasting. Pre-packaged food can only be offered to the customers and no food preparation is performed by staff such as slicing cheese or fruit. Pre-packaged food such as pre-sliced cheeses or fruit may be purchased from an approved licensed establishment. The staff of the BWD shall not plate or serve customers. Glasses used for tasting/drinking the alcohol may be single-use, take-home souvenir, or reusable glassware washed on site.
- Any food service is provided by an outside food service establishment, and no part of the firm is used for preparation or storage of any food, utensils or equipment. (e.g., a winery has a contract with permitted caterers for any wedding events, or a brewery requests that a permitted mobile food truck come to their property to provide food options for their customers, etc.)

Local Health Department will issue Food Service Permit when:

- The BWD manufactures and packages the alcohol for ON SITE sales only; and/or
- The BWD holds a GDA food sales establishment license AND serves food to customers that is prepared on site. This includes washing and slicing of any fruits, vegetables or cheeses; cooking; or plating of any food for the customers by the staff. The permitted kitchen will be in a separate area so that equipment used in the manufacturing of the alcohol is not used as part of the food service operation.
- **The only wholesale function of the BWD operation is for specific special events (e.g. beer festivals, festivals, special events)**

Note: A "Brew Pub" is a type of operation that will always be regulated by the local health authority. The establishment manufactures its own beer, but by law, must also offer for sale another brand of alcohol, and at least 50% of its sales must be food. These operations will require additional licensing from GDA if the alcohol is packaged and sold to a distributor for outside sales.