

Selling Wine and Beer at Farmers Markets

Information from the Washington State Liquor Control Board

Both the farmers market and the winery or microbrewery must meet certain requirements and apply for approval through the Liquor Control Board.

If you have any questions or would like an application, please contact the Liquor Control Board's Licensing Division at 360-664-1600, option 1.

FARMERS MARKET REQUIREMENTS

According to state law (RCW 66.24.240, RCW 66.24.244, and RCW 66.24.170), in order to qualify to have wineries or breweries sell at farmers markets, the market must:

- Be an entity that sponsors a regular assembly of vendors at a defined location, for the purpose of promoting the sale of agricultural products grown or produced in Washington directly to consumers.
- The market must have at least five participating vendors who are farmers selling their own agricultural products. "Farmer" means a person who sells, with or without processing, agricultural products raised on land he/she owns or leases in this state or in a county that borders the state.
- The total combined gross annual sales of vendors who are farmers must exceed the total combined gross annual sales of vendors who are processors or resellers. A "processor" means a person who sells processed food personally prepared on land he or she owns or leases in this state or in a county that borders the state. A "reseller" means a person who buys agricultural products from a farmer and resells the products directly to consumers.
- The total combined gross annual sales of vendors who are farmers, processors, or resellers must exceed the total combined gross annual sales of all other vendors.
- The market may not have vendors that sell imported items or secondhand items or who are franchisees.

FARMERS MARKET APPLICATION PROCESS

A farmers market must receive authorization from the Liquor Control Board *before* the agency will permit a winery or brewery to sell wine or beer at your market. To apply for the authorization, the market must:

- Submit an application supplied by the Liquor Control Board. There is no fee. Please allow at least 50 days before you plan to sell beer or wine.

- Provide a map of the farmers market showing all booths, stalls, or other designated locations at which an approved winery or brewery may sell bottled wine or beer.
- The Liquor Control Board will post a public notice at your market, which must remain up for at least 14 days. We will give notice of your application to the local city or county official, and to any schools, churches, or public institutions within 500 feet of your market. These entities have 20 days to respond with any concerns or objections (they may request additional time).

BREWERY OR WINERY REQUIREMENTS

A winery or brewery that wants to sell beer or wine at a qualifying farmers market must first receive an endorsement from the Liquor Control Board.

- To qualify for this endorsement, wineries and microbreweries must be located in Washington State and have a valid domestic winery or microbrewery license (a "microbrewery" produces less than 60,000 barrels of beer a year). In-state domestic breweries (breweries that produce 60,000 barrels of beer a year or more) may apply if they meet the qualification for the reduced tax rate in RCW 66.24.290.
- This endorsement allows you to sell your own bottled wine or beer to-go only--you may not provide samples or tastings. Also, wineries and breweries may not store wine or beer at a farmers market beyond the hours that you offer bottled wine or beer for sale, and may not act as a distributor from the market location.
- Wine sold at qualifying farmers markets must be made entirely from grapes grown in a recognized Washington appellation or from other agricultural products grown in the state. Beer sold at a farmers market must be produced in Washington.
- Please keep in mind this endorsement is part of your winery or brewery license, and you have the responsibility to follow all liquor laws and rules. Violations are grounds for the Liquor Control Board to take away your endorsement and to take administrative action against your winery or brewery license.

BREWERY OR WINERY APPLICATION PROCESS

To apply for this endorsement, the winery or brewery must:

- Submit an application supplied by the Liquor Control Board and pay an annual \$75 fee. Please allow at least 7 days before you plan to sell beer or wine.
- For each month you plan to sell your beer or wine at a farmers market, you must provide the Liquor Control Board a list of the markets you will sell at for the *following month*, and the dates and times you plan to sell.