

# The Combined Beer Wholesaler and Table Wine Distributor License



**What are combined beer wholesaler and table wine distributor licenses?  
How do I get one?  
What can I do with it?**



ALCOHOLIC  
BEVERAGE  
CONTROL  
DIVISION  
MONTANA



## What is a combined beer wholesaler and table wine distributor license? *Effective 7/1/2024 this license will be a combined beer/table wine wholesaler license.*

The term combined beer wholesaler and table wine distributor license means a stand-alone beer wholesaler license, a stand-alone table wine distributor license, or a combined beer wholesaler and table wine distributor license throughout the rest of this booklet unless otherwise specified.

A beer wholesaler license may have multiple sub-warehouses, but a table wine distributor license may only have one sub-warehouse.

A combined beer wholesaler and table wine distributor license may have multiple sub-warehouses where both beer and table wine may be stored.



## Where do I start?

A combined beer wholesaler and table wine distributor license may be applied for directly from the Department of Revenue

(DOR) Alcoholic Beverage Control Division (ABCD) and does not need to be purchased from an existing licensee unless you are buying an existing licensed business and the beer and table wine inventory.

You may apply electronically through [TAP](#).

## What are the associated costs?

NOTE: Effective 7/1/2024 fees will change for this type of license.

The Beer Wholesaler License and Sub-warehouse License Only:

- One-time beer wholesaler license processing fee: **\$200**.
- Annual beer wholesaler license: **\$400**.
- One-time beer wholesaler sub-warehouse license processing fee: **\$100**.
- Annual beer wholesaler sub-warehouse license: **\$400**.
- Fingerprint card fee for each individual with 15% or more ownership interest in the business: **\$30 each**. *Price subject to change.*

The Table Wine Distributor License and Sub-warehouse License Only:

- One-time table wine distributor license processing fee: **\$200**.
- Annual table wine distributor license: **\$400**.
- One-time table wine distributor sub-warehouse license processing fee: **\$100**.
- Annual table wine distributor sub-warehouse license: **\$400**.
- Fingerprint card fee for each individual with 15% or more ownership interest in the business: **\$30 each**. *Price subject to change.*

Combined Beer Wholesaler and Table Wine Distributor License and Sub-warehouse License:

- One-time combined beer wholesaler and table

- wine distributor license processing fee: **\$200**.
- Annual combined beer wholesaler and table wine distributor license: **\$800**.
- One-time add beer wholesaler or table wine distributor to existing license fee: **\$400**.
- One-time combined beer wholesaler and table wine distributor sub-warehouse license processing fee: **\$100**.
- Annual combined beer wholesaler and table wine distributor sub-warehouse license: **\$800**.
- Fingerprint card fee for each individual with 15% or more ownership interest in the business: **\$30 each**. *Price subject to change.*



## What do I need to apply?

When applying for any of the above licenses, you must provide the following general information:

- A completed application for a combined beer wholesaler

and table wine distributor license.

- Alcohol and Tobacco Tax and Trade Bureau (TTB) Federal Basic Permit to wholesale beer and table wine.
- Agreements with licensed breweries, beer importers, wineries, and wine importers for products you will be distributing. If the agreements have not been signed, they must be provided to ABCD within 60 days of signing the agreement.
  - Login and submit them through your account on [TAP](#).
- [Temporary Operating Authority \(TOA\)](#) request, if applicable (for a maximum of 180 days).
- A completed [ABCD Authorization to Disclose Tax Information Form](#) for each individual with ownership over 15% and each entity for the purchaser of the license.
- A floor plan including, but not limited to the following: the business name, physical address, license number (if known), alcohol storage area(s) where you intend to store alcoholic beverages, external dimensions, and entryways. Do not send in the original blueprints, only an 8 ½" x 11" size copy of the floor plan.

**NOTE:** Products and labels must be approved through ABCD before any products can be distributed. You may search for approved products on [TAP](#).

**When applying for a license, you must provide the following financial information showing the “intent to purchase” the alcoholic beverage license (if buying an existing license), inventory, and building, if applicable:**

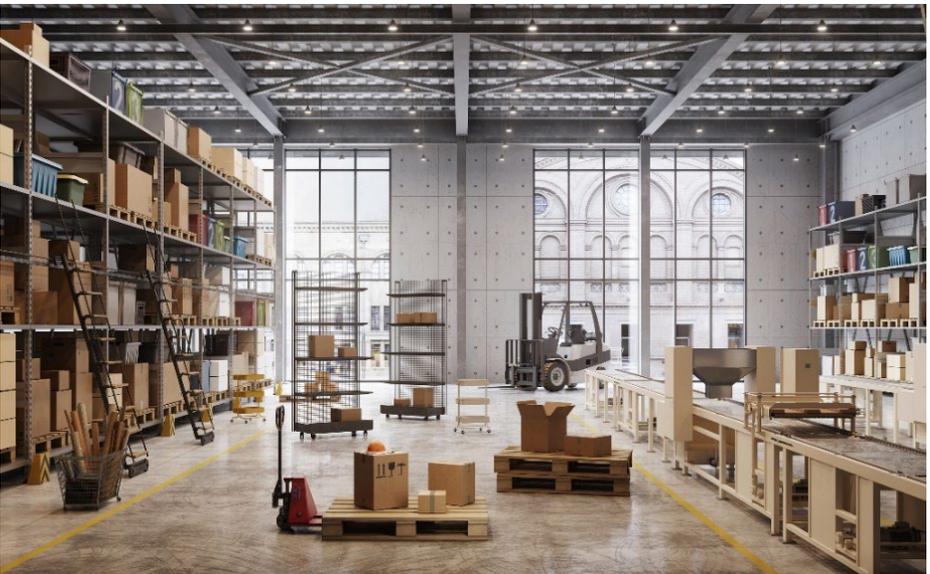
NOTE: DO NOT exchange funds for the alcohol beverage license [if applicable] beyond earnest money 5 percent of the license price without prior ABCD TA or license approval.

- Copies of any loan agreements, contracts, notes, and all related security agreements, guarantees, and trust indentures.
- If funds come from somewhere other than a loan, provide the last 6 months of bank statements from the bank account used to pay for the alcoholic beverage license, building, and/or start-up operating funds for the business.
- Other sources of funding:
  - File the [Non-Institutional Loan \(NIL\) Form](#) with the application if any lenders or other sources of financing are not state or federally-regulated financial institutions, including gifting statements.
  - [Personal Criminal History Statement Form](#) for each NIL. Two fingerprint cards and fees for each NIL.
- Copies of lease, rent, purchase options, financing agreements, or other evidence showing possessory interest in the building.
- Financial statements, such as a balance sheet, income statement, or tax return for the business. If it is a new business projected balance sheet(s) and income statements are acceptable.
- Copy of business's bank signature card.
- Purchase/transfer documents for the alcoholic beverage license, such as a buy/sell agreement, contract for deed, warranty deed, and bill of sale, if applicable.

**When applying for a license, you must provide the following ownership information (based on entity type applying), including:**

- Copy of partnership agreement documentation.
- Copy of articles of incorporation and amendments or addenda.

- Copy of bylaws and amendments or addenda.
- Copy of certificate of fact (for LLCs and LLPs).
- LLC organizational information.
- Copy of stock certificates, corporate minutes, and attachments.
- Stock ledger or register.
- Copy of certificate of existence (for in-state corporations).
- Copy of authority to conduct business in Montana (for out-of-state corporations).
- Copy of documentation from the Secretary of State verifying approved assumed business name (ABN).
- Copy of federal employer identification number (FEIN) verification from IRS.
- Completed [Personal Criminal History Statement Form](#) for each individual with 15% or more ownership interest in the business. Two fingerprint cards and fees for each individual with 15% or more ownership interest in the business.



## When applying for a license, you must provide the following management information, including:

- [Location Manager Form](#) (if someone other than an owner over 15% is managing the business).
- Personal [Criminal History Statement Form](#) for each location manager.
- Two fingerprint cards and fees for each location manager.



## What are the steps in the application process?

- The application process takes on average 90 days and begins when ABCD receives a complete application package and all supporting documents.
- Application is then reviewed by the ABCD.
- Applicant will receive a letter requesting any additional documents, if needed.



- ABCD notifies local agencies with jurisdiction over the area of the application in process.
- Before final approval of any new location, it is the responsibility of the applicant to contact local building, health, and fire code officials to schedule inspections. ABCD may not approve an application until:
  - o Local officials give notice to ABCD that the licensed premises meet their requirements.
  - o A background check of the applicant(s) and a premises inspection is conducted so ABCD can verify the applicant(s) and location meet suitability requirements.
- ABCD conducts a final review of the application. If necessary, any additional or closing documents may be requested.
- Final approval is granted when the licensing specialist receives all finalized documents, inspections, and any outstanding issues or violations (if any) have been resolved.

## What taxes does a beer wholesaler and table wine distributor pay?

Beer wholesalers and table wine distributors are required to electronically file beer excise tax (BET), wine income tax (WIT), and/or hard cider tax (HCT) for quarterly tax returns (depending on the products sold).

Returns are due on or before the 15th of the month for the preceding reporting period sales, July 1 through June 30.

Returns must be filed electronically through [TAP](#).

<i>Beer Sold by Barrel</i>	<i>Tax Rate Per Barrel</i>
0 - 5,000	\$1.30
5,001 - 10,000	\$2.30
More than 10,001	\$4.30

Tax rate on wine sales to retailers, sacramental wine licenses and agency liquor stores is \$0.027 per liter.

Tax rate for hard cider is \$0.037 per liter.

Need help filing any of these forms? Contact the DOR Business and Income Tax Examiner at (406) 444-0723 or email ABCD at [DORABCD-O&E@mt.gov](mailto:DORABCD-O&E@mt.gov).

## What are the rules for a beer wholesaler and table wine distributor license?

- All licensees, their agents, and employees must conduct the licensed premises in compliance with all:
  - Alcohol-related provisions of the laws of Montana (Montana Code Annotated [MCA] Title 16 and the United States Code of Federal Regulations [CFR]).
  - County, city, or town ordinances.
  - Indian alcohol beverage laws applicable within the areas of Indian Country.
  - Administrative Rules or Montana (ARMs) for the Department.
- Title 16 and the ARMs can be found on our website [here](#) under Links and Information.
- All licensees must keep up on any changes to Title 16 MCAs and the ARMs.
- **NOTE:** these may change from time to time. Contact ABCD if there are any questions.

## A beer wholesaler and table wine distributor licensee MAY:

- Sell and deliver beer and table wine to a licensed retailer and sell and deliver table wine to an agency liquor store.
- Sell and deliver non-alcoholic (NA) type products if they

are not over 0.5% abv.

- The beer wholesaler or table wine distributor is responsible for ensuring they are selling product to a licensed retailer, agency liquor store or a retailer with temporary operating authority.
- Deliver product to a retail licensee at a catered event, the retailers licensed premises or a special permit event.
- Deliveries to noncontiguous storage areas and alternate delivery arrangements.
  - **Licensed Retailers:** They may have an approved noncontiguous storage area located within 10 miles of their licensed premises.
    - How do you know if they have one? A license will be issued with an approved noncontiguous storage information listed on the front of it.
    - Look up a license on [TAP](#) to see if a licensee has an approved noncontiguous storage area.
  - **Agency Liquor Stores:** They may have a noncontiguous storage area located within the same quota area of an agency liquor store.
    - How do you know if they have one? A license will be issued with approved noncontiguous storage information listed on the front of it.
    - Not sure if an agency liquor store has an approved noncontiguous storage area? Call the Agency Liquor Store Specialist at (406) 444-0724 or email [doralcoholicbeveragecontrol@mt.gov](mailto:doralcoholicbeveragecontrol@mt.gov).
    - **Note:** Beer deliveries are prohibited to the agency liquor store's noncontiguous storage area. Those deliveries must be delivered to the off-premises licensee at the licensed premises of agency liquor stores grandfathered to sell beer or to an approved noncontiguous storage area

for the retail licensee.

- o **Alternative Delivery Arrangements:** This may be approved when you are not able to deliver to a retail licensee premises due to a unique physical location such as an island or ski hill mountain top.
  - You must fill out and submit the [Alternative Delivery Arrangement Form](#).
- o **Resort Alternative Alcoholic Beverage Storage Facilities:** Licensees may have an approved resort alternative alcoholic beverage storage facility when there are two or more retail all-beverage and resort all-beverage licenses.
  - How do you know if a licensee has one? You may look them up in [TAP](#).
  - Click on the license link and it will show Yes or No in the Resort Storage Facility section. OR
  - Request a copy of the license and this will show the specific address.
- Provide samples to licensed retailers of up to 3 gallons of beer and 3 liters of wine to a retailer who have not purchased the specific sample product from the beer wholesaler or table wine distributor in the previous 12 months. See [Wholesalers/Distributor Providing Samples to “Clients”](#) Fact Sheet.
- Request a refund on the tax paid if a product delivered to retailers is recalled by the manufacturer. The beer wholesaler or table wine distributor may amend the prior BET, WIT, or HCT tax return and request a credit be applied to their account or a refund be remitted.
  - o Have questions? Contact the DOR Business and Income Tax Examiner at (406) 444-0723 or email ABCD at [DORABCD-O&E@mt.gov](mailto:DORABCD-O&E@mt.gov).
- Exchange or accept return of a product if the reason

constitutes an ordinary and usual commercial reason such as: defective product, error in delivery, product unlawful to sell, termination of retail business or wholesale franchise, change in product, discontinued product, or seasonal business. A product that is overstocked, slow-moving, or seasonal does not qualify for exchange or return.

- Assist a special permit holder at their event or retail licensee that has a catering endorsement in setting up equipment for sale and service of beer and table wine but may not sell beer and table wine at the event.
- Write checks directly to licensed retailers for teams that the retailer and the wholesaler/distributor are sponsoring, such as bowling teams, softball teams, dart leagues, etc.
- Have overlapping distribution areas; however, the supplier must provide the same price, promotional support, and terms to each wholesaler/distributor.

### **A beer wholesaler-specific licensee MAY:**

- Sell draft systems and portable cooling devices to licensees at not less than the cost to the beer wholesaler. A beer wholesaler may provide portable cooling equipment for special events at a location other than a licensed premises when the licensee is contracted to cater that event.
- Provide maintenance or repair services on draft beer equipment to keep it sanitary and in good working condition. Even when it is outside of the licensee's regular maintenance service time; you must extend that service to all other licensed retailers.
- Only sell in their designated territory as agreed upon with the manufacturer or importer; however, different wholesalers may be appointed in the same territory to



distribute different products.

## **A table wine distributor-specific licensee MAY:**

Provide a retail licensee with product displays and carton wine displays.



## **A beer wholesaler and table wine distributor licensee may NOT:**

- Own any interest in a manufacture license, retail license, or agency liquor store.
- Obtain a special permit.
- Allow consumption of alcoholic beverages on their licensed premises.
- Sell or deliver product directly to the public.
- Sell or deliver beer to agency liquor stores unless they



have been grandfathered to sell beer (they will have a retail beer license for this).

- Sell or deliver product to a licensee during their “off season” dates. **Exception:** When delivering product to restock for their season to start. Check [TAP](#) for seasonal dates.
- Sell or deliver product to a licensee that is on nonuse. Check [TAP](#) for nonuse status.
- Consignment Sales with a manufacturer or another wholesaler/distributor:
  - Please see 27 U.S.C. 205(d), 27 CFR part 11, and TTB Industry Circular 2022-1. The industry circular clarifies how TTB views extended payment terms under the consignment sales provisions of the Federal Alcohol Administration Act (FAA Act).
- Allow more than a seven-day credit limit to a retailer.
  - An extension or acceptance of credit longer than the seven days is considered as giving or receiving financial assistance.
  - This is considered a violation of undisclosed financial interest.

## **A beer wholesaler-specific licensee may NOT:**

- Supply a retailer with advertising in the form of radio, posters, or paying for promotional fees. Exception: a few items and dollar limitations. Contact your [ABCD Licensing Specialist](#) with questions.
- A beer wholesaler may provide functional advertising materials such as bottle openers, trays, tap handles menus, apparel, coasters, glassware, cups, or napkins that do not exceed \$300 in value.

## A table wine distributor-specific licensee may NOT:

Have overlapping territories to sell and distribute hard cider.

## A beer wholesaler and table wine distributor licensee MUST:

- Give law enforcement access to their licensed premises at all times.
- Provide the department an exact copy of any agreements, contracts, or franchises with a distributor, brewer, or beer importer within 30 days of signature.
  - Login and submit them through your account on [TAP](#).
- Notify the department within 30 days of hire when there is a change in location manager for your alcoholic beverage business. See the [Location Manager Fact Sheet](#) on our website.
- Notify ABCD regarding most changes to the existing license BEFORE the change occurs. Contact your [ABCD Licensing Specialist](#) with questions.
- Make sure all beer and wine products you plan on distributing in Montana have labels approved through ABCD **before** the products from licensed breweries, wineries, and importers are received and allowed to be distributed in Montana.
  - Check on [TAP](#) and click “Search Beer/Wine Labels” to see if labels have been approved by ABCD.
    - Wine: All wine products, including hard cider, must be approved by ABCD.
    - Beer: Some licensed Montana breweries may not need to go through product label approvals. Contact your [ABCD Licensing Specialist](#) with questions.



## Miscellaneous:

- **Alterations**

- If you decide to remodel your establishment, you must send ABCD an [Alteration Request Form](#) along with a copy of the existing [floor plan](#) and a proposed floor plan showing the alterations **before** starting the alteration. Once the Department reviews and approves the request, you may begin the alteration without it affecting your license. You may not use the new premises area(s) until the department has approved them and they have passed building, health, fire, and a premises inspection. **Exception:** In certain cases, pre-approval is not required. Contact ABCD if you are unsure.
- Not sure if your “remodel” is considered an alteration, [Contact your Licensing Specialist.](#)

- **Dock Sales**

- Table wine (including hard cider):
  - An all-beverage licensee or their employee may obtain table wine from **any** table wine distributor licensee (even from outside their designated territory) in any amount that is agreed upon.
  - An agency liquor store agent and other licensed retailers or their employees may obtain table wine from a table wine distributor within the licensee's territory for any amount that is agreed upon.
- Beer:
  - An all-beverage licensee or their employee may obtain beer from **any** beer wholesale licensee (even from outside their designated territory) in any amount that is agreed upon.
  - Licensed retailers or their employees (including liquor stores that were grandfathered to have a beer license) may obtain beer from a beer wholesale within the licensee's territory for any amount that is agreed upon.

## **Applicable Definitions:**

**Alcoholic Beverage** means a compound produced and sold for human consumption as a drink that contains more than 0.5 percent of alcohol by volume.

**Beer** means a malt beverage containing not more than 8.75% alcohol content by volume or an alcoholic beverage containing not more than 14% alcohol by volume:

- that is made by the alcoholic fermentation of an infusion or decoction, or a combination of both, in potable brewing water, of malted cereal grain; and
- in which the sugars used for fermentation of the

alcoholic beverage are at least 75% derived from malted cereal grain measured as a percentage of the total dry weight of the fermentable ingredients.

- the term does not include a caffeinated or stimulant-enhanced malt beverage.

**Beer Wholesaler** means a person who imports into, or purchases in Montana, beer for sale to licensed retailers.

**Hard Cider** means an alcoholic beverage that is made from the alcoholic fermentation of the juices of apples or pears and contains not less than 0.5% of alcohol by volume and not more than 8.5% of alcohol by volume, including but not limited to flavored, sparkling, or carbonated cider.

**Liquor** means an alcoholic beverage except beer and table wine. If beer and table wine deviate from their specific definition, then it defaults to the liquor definition. The term includes a caffeinated or stimulant-enhanced malt beverage.

**Non-institutional lender** means a person other than a state or federally regulated banking or financial institution, a credit union, an investment company, a development company, or other regulated lender as defined in [31-1-111, MCA](#), who loans money to the applicant for a license or to the licensee.

**Table Wine Distributor** means a person who imports into, or purchases in Montana, table wine for sale to licensed retailers and agency liquor stores in Montana.

**Table Wine** means wine that contains not more than 16% alcohol content by volume and includes hard ciders.

**Sub-Warehouse:** means a building or structure owned or operated by a licensed beer wholesaler and table wine

distributor, located in Montana other than the site of the principal place of business of the beer wholesaler and table wine distributor used for the receiving, storage, and distribution of beer or table wine.

**Questions?** Contact an [ABCD Licensing Specialist](#) for more information.





# ALCOHOLIC BEVERAGE CONTROL DIVISION

## MONTANA

2517 Airport Road  
P.O. Box 1712 Helena,  
MT 59624  
Phone: (406) 444-6900  
Fax: (406) 444-0722

Website: [Alcoholic Beverage Control - Montana Department of Revenue \(mtrevenue.gov\)](https://mtrevenue.gov)

Forms: [Forms - Montana Department of Revenue \(mtrevenue.gov\)](https://mtrevenue.gov)

Online Applications: [TAP](#)

Fact Sheets: [https://mtrevenue.gov/dor-publications/liquor-publications/#FactSheetsEmail ABCD](https://mtrevenue.gov/dor-publications/liquor-publications/#FactSheetsEmailABCD)

Email Outreach & Education - [DORABCD-O&E@mt.gov](mailto:DORABCD-O&E@mt.gov)

Email ABCD - [doralcoholicbeveragecontrol@mt.gov](mailto:doralcoholicbeveragecontrol@mt.gov)



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