

When is alcohol an alcoholic beverage in Montana?

Alcoholic beverage defined in Montana

"Alcoholic beverage means a compound produced and sold for human consumption as a drink that contains more than 0.5% of alcohol by volume (abv)." [16-1-106 \(3\)](#), MCA.

Ethyl alcohol (ethanol) is the chemical name of the compound found in alcoholic beverages. It is the only type intended for consumption and the only kind of alcohol found in nature. Different types of alcoholic beverages contain different amounts of alcohol, and how alcohol is made will define how it is categorized.

Examples of what are NOT alcoholic beverages that contain alcohol:

- Extracts (like vanilla extract)
- Tinctures (herbal/homeopathic extracts)
- Kombucha (not more than 0.5% abv)
- Some liquid cough medicines
- Mouthwash
- Other drinks not more than 0.5% abv, like NA alcoholic beverages

The three types of defined alcoholic beverages for drinking are: Beer, Wine, and Liquor

Beer defined: 16-1-106 (5), MCA

Beer is a fermented beverage **made from** malted barley, water, hops, and yeast. Its alcohol content is not more than 14% abv.

Type of Beer: Malt Beverage defined: 16-1-106 (21), MCA

A stronger version of beer, often with a higher alcohol content.

- A malt beverage containing 0.5 abv and not more than 8.75% abv (considered "beer")
- Spike lemonades and iced teas
- "Margaritas" without tequila
- Malt "liquor" (i.e., hard seltzers)

Wine defined: 16-1-106 (38), MCA

Wine is defined as "an alcoholic beverage **made from or containing** the normal alcoholic fermentation of the juice of sound, ripe fruit or other agricultural products without addition or abstraction, except as many occur in the usual cellar treatment of clarifying and aging, and that contains more than 0.5% but not more than 24% of alcohol by volume."

Types of Wine: Hard Cider, Table Wine, and Sacramental Wine

Hard Cider – an alcoholic beverage **made from** the fermentation of juices from apples or pears containing 0.5 abv and not more than 8.5% abv (includes cider), and may include flavoring, be “sparkling” or carbonated.

Table Wine – an alcoholic beverage containing 0.5 abv and not more than 16% abv.

Sacramental Wine – a wine that contains more than 0.5% but not more than 24% abv that is manufactured and sold exclusively for use as sacramental wine or other religious purposes. You must be licensed to sell this specific product only sold to churches.

Other examples may include Sake, Wine-based Cocktails, and Mead

Liquor defined: 16-1-106 (19), MCA

All other alcoholic beverages that do not fit in the beer, malt beverage, or wine categories not defined above.

Exceptions that are considered Liquor:

- Wine above 24% abv
- Beer above 14% abv
- Malt Beverage above 8.75% abv

Non-alcoholic (NA) Alcohol:

- NA Beverage drinks containing not more than 0.5% abv
- The Cannabis & Alcohol Regulation Division (CARD) does not regulate any product with an abv of 0% - .5% and below

Looking for State-Approved Beer and Wine products?

- Visit our [TransAction Portal \(TAP\)](#) home page
- Scroll to the Alcoholic Beverage Control tile
- Choose “search beer/wine labels”
- Select the desired search

What products must be approved?

- All out-of-state beer products
- All wine products
- All distilled products
 - Distilled products go through a different process and will not show up in [TAP](#)

Questions?

Call the ABC or email DORAlcoholicBeverageControl@mt.gov

All licensees must comply with all Federal and Montana alcoholic beverage laws and rules.

SECTIONS [16-1-106](#), MCA, ARM

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