



BUILDING A RESEARCH NETWORK FOR COLORADO BREWERS AND DISTILLERS

HOSTED BY

COLORADO STATE UNIVERSITY

THANK YOU
SPONSORS



COLLEGE OF AGRICULTURAL SCIENCES | DEPARTMENT OF FOOD SCIENCE AND HUMAN NUTRITION
DEPARTMENT OF AGRICULTURAL RESOURCE ECONOMICS | VICE PRESIDENT FOR RESEARCH

NAVIGATING FEDERAL, STATE AND
LOCAL REGULATION

Breakout Session Summary

Highlights

- If producers provide the data, CSU can estimate how much compliance costs the Liquid Arts industry.
- The laws regulating the Liquid Arts industry need to be compiled in a single location and made understandable to non-lawyers.
- Considerable interest was shown for short courses/training on licensing and compliance.

Priorities and research questions for the foundation of a public/private partnership

- How do regulators currently disseminate information and data to licensees and other participants in the liquor industry (e.g., e-mail, in-person events, visits, etc.)? Can these methods be improved? What level of awareness do licensees have of these opportunities?
- Where do licensees feel like they have the least grasp of the law or relevant regulatory expectations? How can this be addressed?
- To what extent do licensees experience “information overload”? Are there methods of reducing the amount of “clutter” and focusing on topics that are important to regulators and licensees?

Discussion transcript

The breakout session began with the moderators providing context for the discussion by stating the purpose of the Colorado Brewers Guild and identifying frequently asked questions regarding federal, state and local regulations. These questions were centered on the following topics: limited distribution agreements, brand registration, sampling, investigations, regulators, land use, and legal jargon.

Using these topics as a starting point, areas of interest were identified and discussed by participants. Resource efficiency was identified as a critical area. Within resource efficiency, a number of frustrations were identified, including the lack of a single place to find all the laws, rules, and regulations faced by producers, the difficulty in navigating the federal and state websites, a prevalence of difficult to understand legal jargon, inconsistency in the unit of measurement used by laws and regulations (some use gallons while others use barrels), the limited availability of manufacturer and wholesale compliance trainings, and the inspectors' lack of understanding of the laws they are enforcing. While these frustrations add to the cost of compliance, they also provide opportunities for CSU to partner with the industry for the mutual benefit of both parties. The CSU OSHA training program was pointed out to participants and noted as helpful. Participants also identified that consolidating, summarizing, and contextualizing the laws and regulations in a way that effectively communicates to industry personnel is a potential avenue for CSU extension work. Additionally, if the industry is willing to track the time and resources they spend on compliance, researchers could quantify how the current laws and regulations are impacting entrepreneurs.

The next most important topic was licensing issues. Within this topic, common questions were identified concerning how industry personnel can identify the license required for various activities, the process required to obtain them, and how long they can expect the process to take. Activities participants were concerned about included shipping beer out of state, hosting guest taps, and dealing with grocery stores. Industry participants identified the creation of flowcharts describing the licensing selection and application process, as well as short business courses covering licenses, as a potential way CSU could work with the industry.

Next in terms of topic priority was brand registration. Questions under this topic include the following: "how strictly are brand registration laws enforced," "what are the penalties," "what is the process for local, state, and federal brand registration," and "who is responsible for getting the brand registered?" Industry participants identified two barriers to entrepreneurship: the lack of access to information regarding the brand registration process and the requirement that brands must be registered for thirty days prior to serving.

Environmental and safety laws were prioritized the least by participants. Industry participants identified OSHA infractions as the most prevalent safety issue. This can be addressed by further advertising CSU's OSHA training program to industry personnel. Another safety issue discussed was the expense associated with being compliant with the fire code. Regarding environmental compliance, there is uncertainty as to what can and cannot be disposed of down the drain and how to fill out the wastewater survey.



Dotocracy results: 10 session participants, 45 votes

Overview of topic priority

Topic	Rank	
	Academic	Industry
Resource efficiency	1 (tie)	1
Safety	3	4
Licensing issues	1 (tie)	2
Brand Registration	2	3

Detailed topic breakdown

Resource efficiency

- What are the laws? (updates, state vs fed vs local, scattered and hard to understand)
- Trainings (information, summaries, and OSHA training)
- Government employee knowledge of the law (or lack thereof)
- Reporting
- Count me in: Jauton Burke-Gupta, Meagan Miller, Angie Grenz, Charlie Hoxmeier, Cy Bevenger

	Academic	Industry	Total
Breakout session votes	3	14	17
Percent	7%	31%	38%
Plenary session votes	3	10	30

Safety

- FDA, OSHA, fire codes
- What can be dumped?
- What recordkeeping is necessary?
- How do you fill out the waste water survey?
- What do you do about noise complaints?
- Count me in: Tim Cochran, Alan Windhauser

	Academic	Industry	Total
Breakout session votes	0	5	5
Percent	0%	11%	11%
Plenary session votes	0	2	7

Licensing issues

- What licenses are needed other than liquor? (flow chart
- Ownership structure
- Shipping rules (beer vs wine vs liquor)
- Guest taps and collaborations
- Count me in: Jauton Burke-Gupta, Meagan Miller, Angie Grenz, Charlie Hoxmeier, Cy Bevenger

	Academic	Industry	Total
Breakout session votes	2	12	14
Percent	4%	27%	31%
Plenary session votes	4	7	25

Brand Registration

- How strict are the regulations and what are the penalties? (access to information)
- COLA process
- Responsibility (who is brewing)
- 30-day waiting period
- Farm to market
- Modernization
- Count me in: Tim Cochran

	Academic	Industry	Total
Breakout session votes	1	8	9
Percent	2%	18%	20%
Plenary session votes	2	1	12



Breakout session participants and contact information

Name	Affiliation	Email
<i>Moderators</i>		
Anda Stephensen	CSU Business Law	astephenson@gjmlawfirm.com
Meagan Miller	Western Gael Distillery	Meagan@westerngael.com
Andres Zaldana	Colorado Brewers Guild	andres@coloradobeer.org
<i>Participants</i>		
Hayley Chouinard	CSU DARE	hayley.chouinard@colostate.edu
Jauton Burke-Gupta	CSA Distributing/Crooked Stave	jauton@crookedstave.com
Alan Stone	CSA Distributing	alan@csartisans.com
Angie Grenz	Verboten Brewing	Angie@verbotenbrewing.com
Dawn Thilmany	CSU DARE	dthilmany@gmail.com
Craig Miller	Timnath Beerwerks	craig@timnathbeerwerks.com
Vicki Lee		scottdorsch@odellbrewing.com
Savannah Hayes Orr	The Hop Grenade	savannah@thehopgrenade.com
Tim Cochran	Horse & Dragon	timco@hdbrew.com

