

SUBJECT: CLASS F – FERMENT-ON-PREMISES

POLICY

3.18.1 In this section:

- a) “carboy” means a glass or plastic vessel used as a fermentation tank when brewing or fermenting beverages such as beer, wine, coolers or cider.
- b) “personal use” means beer, wine, coolers and/or cider that is produced and used by an individual, provided by an individual as a gift, or served by an individual to another person in a residence. It does not include the sale or other commercial use of beer, wine or cider.
- c) “trading racks” means a product left by a customer after bottling, in exchange for another customer’s product.

General

3.18.2 Only beer, wine, coolers and cider may be produced at a ferment-on-premises facility.

3.18.3 Licensees may not produce beer, wine, coolers or cider for customers to purchase.

3.18.4 The licensee must ensure that:

- a) products are produced in the licensed premises in accordance with all relevant federal or provincial enactments and municipal by-laws; and
- b) the licensed premises is operated in accordance with all relevant federal or provincial zoning, enactments and municipal by-laws.

3.18.5 Products produced at a ferment-on-premises facility must:

- a) be for a customer’s personal use;
- b) not be produced or packaged for commercial purposes; and
- c) not be served or sold at a licensed special event.

3.18.6 Minors may not produce liquor or be employed at a ferment-on-premises facility.

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Facility Requirements

- 3.18.7 A ferment-on-premises facility:
- a) must be a separate establishment (no other business may operate at the ferment on facility); and
 - b) may not be located on residential property.
- 3.18.8 The area where beer, wine, coolers and cider is produced must not be accessible to the general public.
- 3.18.9 The ferment-on-premises licence must be posted in a prominent location within the facility.
- 3.18.10 The licensee must post the AGLC's Fetal Alcohol Spectrum Disorder poster in a prominent location in the licensed facility. The poster is available for download on the AGLC website at aglc.ca/liquor/responsible-liquor-service/posters-and-brochures.
- 3.18.11 Licensees may offer a sign-up for customers interested in producing and sharing a product to contact others interested in starting a shared batch.

Advertisements

- 3.18.12 Advertisements must comply with all applicable requirements in Section 7.1.
- 3.18.13 Advertisements must not:
- a) mention or imply the availability of liquor (as a finished product) for sale;
 - b) show people drinking, or appearing to drink liquor;
 - c) provide the price of the finished product per batch (for example: beer at half the liquor store price");
 - d) provide the price of the finished product per bottle (for example: "12 dozen beer for \$110");
 - e) imply that the customer has no role in making the product; and/or
 - f) offer price discounts for making more than one batch at a time (for example, second batch at half price or buy two get one free).

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Brewing Process

- 3.18.14 The customer must be invoiced for all ingredients used in the brewing or fermentation process before beginning production. The invoice must set out the details of the transaction, including the:
- a) contact information of the licensee, including name and telephone number;
 - b) contact information of the customer;
 - c) type and quantity of beverage to be made (beer, wine, coolers or cider);
 - d) price and ingredients provided to the customer;
 - e) date fermentation began;
 - f) amount paid by the customer; and
 - g) a notice to the customer that the beer, wine, coolers or cider must be for the customer's personal consumption.
- 3.18.15 Before beginning production, the licensee must ensure that the customer signs a declaration that the product will be for personal use only and not for a commercial purpose.
- 3.18.16 Additional names cannot be added to a product batch after the date fermentation starts.
- 3.18.17 The licensee must attach a carboy tag/label to every carboy, fermentation vessel and barrel that clearly states:
- a) the invoice number provided to the customer; and
 - b) the date fermentation began.
- 3.18.18 The licensee or its staff may not produce or package product on behalf of the customer.
- 3.18.19 Customers must mix their own ingredients to begin the fermentation process, the licensee may provide only limited assistance.
- 3.18.20 Self-fermenting products are not permitted.
- 3.18.21 The licensee must ensure that the customer performs the following tasks in manufacturing beer, wine, coolers or cider in the facility:

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- a) combining or mixing ingredients with any of the following:
 - i) beer wort;
 - ii) fruit, fruit juice or fruit concentrate; or
 - iii) fermentable liquids.
 - b) adding the yeast or enzymes to the materials above, or to any other raw material of beer, wine, coolers or cider;
 - c) washing and sterilizing the bottles/containers prior to bottling;
 - d) removing or defacing commercial labels and sterilizing bottles in preparation for bottling;
 - e) placing the beer, wine, coolers or cider in bottles/containers;
 - f) labelling, corking, capping or shrink-wrapping the bottles; and
 - g) removing the bottled beer, wine, coolers or cider from the establishment immediately after packaging.
- 3.18.22 A customer may be assisted in performing a task outlined in subsection 3.18.21 by:
- a) an adult who is not associated with the operation of the facility;
 - b) the licensee or the employees of the licensee, if:
 - i) the task is performed primarily by the customer, or;
 - ii) the customer is physically incapable of performing the task alone.
- 3.18.23 Products being produced may only be stored onsite by the licensee. Offsite storage is prohibited.
- 3.18.24 The licensee may provide customers with a 120 ml sample of their product, per batch, prior to bottling.
- 3.18.25 Wine lost during fermentation and aging may be topped-up with water or non-alcoholic substance only.
- 3.18.26 Licensees may not supply beverage alcohol for use in fortification, it must be done by the customer. Customers may not leave beverage alcohol at the ferment-on-premises facility to be used later for top-up or fortification.

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Unsatisfactory or Unclaimed Product

3.18.27 If a customer returns a product they are not satisfied with, the licensee may provide the customer with the opportunity to make a free or discounted batch of product. A new invoice must be prepared, and a new declaration must be signed even if there is no cost.

3.18.28 The licensee must destroy all unsatisfactory or unclaimed product.

3.18.29 Product that has been returned cannot be sold or used as top-up product.

Reporting

3.18.30 The licensee must maintain a detailed record for each batch of beer, wine, coolers and cider produced within the facility. Records must be retained by the licensee for at least two years, and be provided to the AGLC upon request/each month.

3.18.31 Records must include the following information:

- a) type and quantity (in litres) of beverage made (beer, wine, coolers or cider);
- b) retail price paid by the customer;
- c) date fermentation began; and
- d) full amount paid by the customer for the service and materials provided.