

PUBLIC PROTECTION CABINET
Department of Alcoholic Beverage Control
(New Administrative Regulation)

804 KAR 14:011. Brewing and winemaking for personal use.

RELATES TO: KRS 241.060, 26 U.S.C. §§ 5042, 5053, 27 C.F.R. § 24.75

STATUTORY AUTHORITY: KRS 241.060(1), 26 U.S.C. §§ 5042, 5053, 27 C.F.R. § 24.75

NECESSITY, FUNCTION, AND CONFORMITY: KRS 241.060(1) authorizes the Alcoholic Beverage Control Board to regulate the use and manufacture of alcoholic beverages. This administrative regulation allows individuals to produce malt beverages and wine for personal use.

Section 1.

- (1) A person twenty-one (21) years of age or older may produce malt beverages for personal or family use.
- (2) Malt beverages produced for personal use shall not be sold.
- (3) Malt beverages produced for personal use shall not be given to any public facility to give or sell to patrons.
- (4) The aggregate amount of malt beverages produced for personal use shall not exceed:
 - (a) 100 gallons per calendar year if there is only one (1) adult who is legally allowed to consume alcoholic beverages in the household; or
 - (b) 200 gallons per calendar year if there are two (2) or more adults who are legally permitted to consume alcoholic beverages in the household.

Section 2.

- (1) A person twenty-one (21) years of age or older may produce wine for personal use.
- (2) Wine produced for personal use shall not be sold.
- (3) Wine produced for personal use shall not be given to any public facility to give or sell to patrons.
- (4) The aggregate amount of wine produced for personal or family use shall not exceed:
 - (a) 100 gallons per calendar year if there is only one (1) adult who is legally allowed to consume alcoholic beverages in the household; or
 - (b) 200 gallons per calendar year if there are two (2) or more adults who are legally permitted to consume alcoholic beverages in the household.

Section 3. Malt beverages and wine produced for household consumption may be entered into competitions at regularly organized fairs for prizes.

- (1) Competitions may be held at a licensed or unlicensed premise.
 - (2) Malt beverages and wine produced for household consumption may be transported or mailed from the producer's home to the site of the competition or to the competition's designee.
 - (3) Judges of the competition shall be at least twenty-one (21) years of age and may only consume for judging purposes.
 - (4) Malt beverages or wine entered into a competition shall not be sold to, sampled by, or tasted by the general public.
- (48 Ky.R. 2888; eff. 11-1-2022.)

ALLYSON C TAYLOR, Commissioner
RAY PERRY, Secretary

APPROVED BY AGENCY: April 14, 2022

FILED WITH LRC: April 14, 2022 at 3:48 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held at 9:00 a.m. EST on June 27, 2022 at 500 Mero Street, Room 127CW, Frankfort, Kentucky 40601. The hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the administrative regulation. Individuals interested in being heard at this hearing shall notify this agency of their intention to attend and comment in writing at least five workdays prior to the hearing. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. If you do not wish to be heard at the public hearing, you may submit written comments on the administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. Written comments shall be accepted through 11:59 p.m. on June 30, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: Joshua Newton, General Counsel, Department of Alcoholic Beverage Control, 500 Mero Street, 2 NE #226, Frankfort, Kentucky 40601, phone (502) 782-0770, fax (502) 564-4850, email Joshua.Newton@ky.gov.