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MI LIQUOR CONTROL COMMISSION
OFFICE OF THE CHAIRPERSON

Mr. Andrew Deloney, Chairman
Liquor Control Commission
State of Michigan
P.O. Box 30005
Lansing, MI 48909

**REF: Request for Declaratory Ruling –
Sale of Mixed Spirit Drinks by Small Distiller to its public room consumers**

Dear Chairman Deloney:

New Holland Brewing Company holds three licenses pertinent to this request for a declaratory ruling to allow the sale of mixed spirit drinks at its retail outlets in Holland and Grand Rapids.

These licenses are:

- Small Distiller License # 175384
- Small Distiller License # 268090
- Mixed Spirit Drink License # 401162

Section 534 of the Michigan Liquor Control Code, being MCL 436.1534, provides in pertinent part:

(2) A small distiller may only sell at retail from the licensed premises either or both of the following: (emphasis added)

(a) Brands it manufactures on the licensed premises for consumption off the licensed premises, at a price posted by the commission under section 233.

(b) Brands it manufactures on the licensed premises for consumption on the licensed premises.

Mixed spirit drinks manufactured by New Holland Brewing Company in compliance with the provisions of its mixed spirit drink license exclusively contain spirits manufactured under authority of the small distiller licenses issued by the Commission cited previously.



Request to Michigan Liquor Control Commission for Declaratory Ruling – May 23, 2018

Certain postings on the Liquor Control Commission website carry instructions such as the following concerning manufacturers of mixed spirit drinks:

A manufacturer of mixed spirit drink may sell mixed spirit drinks to licensed Michigan Wholesalers who may resell to licensed Michigan retailers who hold a SDD. A mixed spirit drink manufacturer may not sell directly to retailers or consumers. (Emphasis added).

As the small distiller licenses issued to New Holland Brewing Company allow the sale of spirit products directly to consumers who choose to patronize New Holland’s public rooms in Holland and Grand Rapids, the Commission is hereby petitioned to issue a declaratory ruling that would allow the sale of mixed spirit drinks it also manufactures directly and only to consumers who patronize its public rooms.

A search of the Liquor Control Code and the Commission’s implementing rules fails to disclose a prohibition against serving mixed spirit drinks at the retail outlets licensed by the Commission for the sale of distilled spirit products manufactured by a small distiller.

New Holland Brewing Company seeks a declaratory ruling from the Commission that a mixed spirit drink when manufactured using the products manufactured under the authority of its small distiller licenses may be sold directly to consumers only at a retail establishment operated by a small distiller.

Should the Commission desire further information about this request, New Holland Brewing Company is ready to supply same at the Commission’s direction.

Thank you for your consideration of this matter.

Sincerely,

Brett Vanderkamp, President

Cc: Commissioners Quimby
Commissioner Olshove