STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of)
BRAVUS BREWING CO.)
for a declaratory ruling)

At the Michigan Liquor Control Commission's May 16, 2024 meeting in Lansing, Michigan.

PRESENT: Kristin Belzer, Chair
Dennis Olshove, Commissioner
Hoon-Yung Hopgood, Commissioner

DENIAL OF DECLARATORY RULING REQUEST

On April 23, 2024, Bravus Brewing Co. ("Petitioner") requested that the Commission issue a declaratory ruling, pursuant to Mich Admin Code, R 436.1971. By this order, the Commission denies the request. See Mich Admin Code, R 436.1975.

Petitioner's request poses two questions, stated in the alternative. Petitioner asks the Commission to determine that "Non-Alcoholic Malt Beverage Products" do not fall under the Commission's jurisdiction under the Michigan Liquor Control Code or, in the alternative, that Petitioner does not produce "beer" as defined in MCL 436.1105(8), due to its specific manufacturing processes. The Commission declines to answer either question because the Commission has recently approved Petitioner's application for an Outstate Seller of Beer license.

Petitioner's request is premised on its position that it does not need an Outstate

Seller of Beer license. Yet Petitioner applied for that license to enable it to sell its products in Michigan. Petitioner has submitted itself to the Commission's jurisdiction. Now that the Commission has approved its license application, Petitioner's request for a declaratory ruling appears moot.

For these reasons, the declaratory ruling request is **DENIED** pursuant to Mich Admin Code, R 436.1975.

MICHIGAN LIQUOR CONTROL COMMISSION

Kristin Beltzer, Chair

Dennis Olshove, Commissioner

Hoon-Yung Hopgood, Commissioner

Dated: May 16, 2024