

## DC Council Passes Amendments to Alcohol Beverage Code

Article By:

Food, Beverage and Agribusiness at McDermott

---

In early December 2016, the Council of the District of Columbia (the Council) unanimously passed the Omnibus Alcoholic Beverage Regulation Amendment Act of 2016 (the Act). The Act amends a number of provisions of DC's alcohol beverage laws, several of which particularly affect DC manufacturers, brew pubs, wine pubs and distillery pubs.

### **Of general applicability to all DC licensees, the Act:**

1. Creates an exception to the general prohibition on drinking alcohol beverages in public places for events licensed by the Alcoholic Beverage Regulation Administration (ABRA).
2. Amends the definition of "growler" to include both beer and wine (and also allows grocery stores to sell both beer and wine in growlers).
3. Allows wholesalers to offer tastings of alcohol beverages to educate staff and introduce products to other licensees, including manufacturers and retailers.
4. Requires the owner or manager of a retailer's, manufacturer's, or wholesaler's license to carry valid identification and to show such identification upon request to an ABRA investigator or a member of the Metropolitan Police Department.

With respect to DC breweries, wineries, and distilleries specifically, the Act allows manufacturers to make sales of wine and distilled spirits in cans and kegs, in addition to barrels and sealed bottles.

### **Of concern to on-premise retailers (including brew pubs, wine pubs and distillery pubs, which must also be licensed as on-premise retailers in DC), the Act:**

1. Amends DC's brew pub statute to:

- allow a brew pub permittee to sell beer brewed at the licensed premises to customers in barrels, cans, kegs, sealed bottles, or other closed containers (in addition to growlers) for off-premise consumption.
  - allow a licensee with brew pub permits at separate DC locations to transport beer manufactured at one location to another location owned by the licensee.
2. Allows class C and D on-premise retailers to hold a pub crawl license.
  3. Allows on-premise retailers to purchase alcohol beverages from certain off-premise retailers during weekends and holidays when DC wholesalers are closed.
  4. Loosens the restriction on a wholesaler selling equipment, furniture, fixtures, or property to a retailer at fair market value by removing the requirement that such items be sold to the retailer for resale.
  5. Clarifies the solid waste storage requirements applicable to retailer's licensees.
  6. Includes some amendments to the laws concerning sales to minors or to persons failing to produce a valid identification.
  7. Imposes a notice requirement concerning non-operational security cameras on restaurant license applicants required by ABRA to file a written security plan.

DC's unique statutory system provides for a 10-business-day period of mayoral review of legislation passed by the Council. Mayor Muriel Bowser does not appear to have taken any action to date on the Act. Assuming the Mayor signs the Act or allows it to become law without her signature, the Council must then submit the Act to the US Congress for a 30-day review period. Congress may either take no action – in which case the Act will officially become law – or disapprove of the Act by a joint resolution, which the President must also sign.

© 2025 McDermott Will & Emery

---

National Law Review, Volume VII, Number 11

Source URL: <https://natlawreview.com/article/dc-council-passes-amendments-to-alcohol-beverage-code>