DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)
BREWER'S NOTICE

Brewery's Section

1. This is notice serial number

2. The notice date is

3. Our brewery's name is

4. Our trade name is

5. Our business address is

(Number and Street) *(City)* *(County)* *(State)* *(Zip Code)*

6. Our brewery location is

(Number and Street) *(City)* *(County)* *(State)* *(Zip Code)*

7. Our main contact person is TTB can reach me at

(Name) *(Phone Number)*

Brewery Description

8. Our phone number at the brewery is

9. Our E-mail Address is

10. Our brewery is a: *(check one only)* ☐ Brewery/Microbrewery *(You will bottle beer)* ☐ Brewpub *(You will not bottle beer. You must complete items 16 and 17.)* ☐ Pilot Brewing Plant

11. We are a: *(check one only)*

☐ Sole Proprietorship ☐ Partnership ☐ Corporation ☐ Limited Liability Company ☐ Limited Partnership

12. Our employer identification number is: *(for example: 12-3456789)* ☐☐ — ☐☐☐☐☐☐☐

Title to premises and equipment (list names and addresses of owner of land or buildings, or if any other mortgage or encumbrance on the land or buildings of the brewery).

13. Brewer's Business Day _____(List only if different than 12:00 am through 11:59 pm.)

14. We are filing this notice to:

☐ give TTB our original notice that we intend to engage in the business of producing beer.

☐ amend our previously approved original notice (Registry No. BR - _____ - _____ - _____) for the following reason(s):

☐ add or delete (circle one) a trade or operating name *(attach registration, if your state requires, of new trade or operating name)*. List new trade names(s) in Item 4 or on a separate sheet of paper. List deleted trade name(s) on a separate sheet of paper.

☐ show a change in brewery premises *(attach description of change)*.

☐ make changes in officers, directors, members, stock, or interest distribution *(attach description of change; you must file personnel questionnaires for new personnel **and** any new person owning 10% or more of total stock)*.

☐ discontinuance of business as of: *(date)* _____.

☐ other _____.

15. A. We are ☐ or are not ☐ members of a controlled group of breweries. (List all breweries with shared ownership on a separate sheet of of paper.)

B. If you are a member, will the controlled group of breweries produce more than 60,000 but less than 2,000,000 barrels of beer per year? (If so, describe how the reduced rate of tax will be apportioned among brewery members in the controlled group.)

16. **The Internal Revenue Code (IRC) provides that if you produce not more than 2,000,000 barrels per year, you are entitled to a reduced rate of tax on your first 60,000 barrels. What is your estimated production in barrels per year? *(check one)***

☐ **More than** 2,000,000 barrels per year. We are not entitled to the reduced rate.

☐ **More than** 60,000 barrels per year, **but not more than** 2,000,000 barrels per year. We are entitled to the reduced tax rate on our first 60,000 barrels removed for consumption or sale.

☐ **Not more than** 60,000 barrels per year. We are entitled to the reduced tax rate on all beer removed for consumption or sale.

EIN _____ Brewery Registry No.: BR- _____

Signing Authority For Corporate Officials

17. We held our board meeting with *(check one)*

☐ Directors ☐ Trustees ☐ Managers ☐ Governors Date of Meeting _____

We authorize the following corporate officials, employees, or incumbents of the listed offices to execute all documents and to do all acts for us in dealing with the Alcohol and Tobacco Tax and Trade Bureau. *(You must impress your corporate seal. If you do not have one, two witnesses must sign.)*

By the authority of our board, I certify that this authorization is true and complete.

Title: _____	Title: _____	Corporate Seal:
Title: _____	Title: _____	
Title: _____	Title: _____	
Witness: _____	Witness: _____	

Brewpub Applicant Information *(If you are a brewpub, you must complete this section.)*

18. We are a brewpub. Our entire business location is the brewery premises. We understand that by initialing these boxes, we acknowledge that:

☐ a. We must separate the brewery operations *(non-public area)* from the public area of the brewery premises by an adequate partition. Access to the brewery operations must be restricted to authorized visitors and employees only.

☐ b. The serving tanks as noted on our **attached diagram** are our tax-determined beer tanks. These tanks have a working capacity of approximately_____ barrels/kegs and are accurately calibrated with appropriate measuring devices.

☐ c. We must transfer beer ready for consumption or sale from our fermenters into an empty tax-detemination tank for measurement by the approved measuring device. We will make prompt and accurate records of these transactions to determine tax due.

☐ 19. We plan to sell retail liquors other than beer. We must file a special occupational tax registration as a retailer before we start these sales.

Attachment Section

20. You must make attachments to complete an original notice. You may also need additional information for an amended notice. Check all the blocks here for your attachments for this notice. For original Brewer's Notices, you must attach all documents for your type of business organization. For amended Brewer's Notices, some forms are mandatory, while others may be optional.

☐ Articles of Incorporation/Organization *(Corporations/LLCs)*
☐ Trade Name Registrations *(if required by state)*
☐ Certificate to Transact Business in a Foreign State *(if applicable)*
☐ Power of Attorney *(TTB F 5000.8, or Corporate Resolution)*
☐ Diagram *(or Plat/Plan)* with dimensions of the brewery
☐ Legal description of the Brewery
☐ Supplemental Information on Water Quality Considerations *(TTB F 5000.30)*
☐ Other _____
☐ Personnel Questionnaires *(for **all** owners/officers/directors/partners/members/stockholders of over 10%)*
☐ By-Laws *(Corporations/LLCs)*
☐ Partnership Agreement
☐ Environmental Information *(TTB F 5000.29)*
☐ Diagram for Brewpub as required
☐ Statement Describing the Security at the Brewery

All statements and documents are part of this notice. Under penalties of perjury, I declare that I have examined this notice and all attachments and to the best of my knowledge and belief they are true, correct, and complete.

21. Signature of Authorized Person	Date

22. Printed or Typed Name and Title

Mail this completed package with all attachments to:

Director
National Revenue Center
550 Main St, Ste 8002
Cincinnati, OH 45202-5215

TTB Section - For TTB Use Only

This Notice is: ☐ Approved ☐ Not Approved	Effective Date:	Approval Date:
Director, National Revenue Center		Registry Number: BR-

General Instructions

1. **Where do I send my application?**
File this form with TTB at this address:

Director
National Revenue Center
550 Main St, Ste 8002
Cincinnati, OH 45202-5215

2. **When may I start Brewing?** You may not operate your brewery until we approve your Brewer's Notice *(including all attachments)* and your Brewer's Bond.

3. **When must I file a Brewer's Notice?** You must file this form:
   - To start business at your brewery premises;
   - To amend or supplement information you previously submitted or;
   - In connection with a new bond.

4. **Do I need to file any other documents with the Brewer's Notice?** You must file the attachments this form requires. Also, we may require you to furnish any additional information we find necessary to protect revenue and insure collection of taxes.

5. **What happens if I do not complete this notice?** We will return your notice to you for correction if it is not completed in accordance with these instructions or does not include all of the required information and documents. If you do not complete the notice you may not produce or package beer.

6. **What items do I need to complete on this notice?** You must complete all items on this notice that apply to your business, regardless of the purpose for which you are filing.

7. **How long must I keep my copy of this notice?** At your brewery you must keep available for TTB inspection during your normal business hours:
   - Your most recently approved Brewer's Notice and
   - All attachments and documents that provide current and complete information of this form.

Specific Instructions

Item 1. What serial number do I use? Serially number each notice. Begin with No. 1 for the first notice and continue in sequence for each amendment or supplemental notice you file after you start business.

Item 2. What is the notice date? The date that you submit this notice for approval.

Item 3. What is my brewery's name?

If you are....	Then your name is....
An individual	Your name, followed by "sole owner" and the name you use to operate
A partnership	The name of each partner followed by the name you use to operate
A limited partnership (LP)	The name of your LP
A corporation or limited liability corporation (LLC)	The corporation or LLC name and, if different, the name you use to operate

Item 4. What if I use a trade name? You must list all trade names you use to do business or to package beer. Approval of a trade name does not necessarily constitute approval as a brand name for labeling purposes. Submit your requests for brand names to the Alcohol Labeling and Formulation Division on an Application for and Certificate/Exemption of Label/Bottle Approval, TTB F 5100.31. If your State requires you to register your trade name, you must submit a copy of the State trade name registration.

Item 5. What is our business address? Your business address may be different than the actual location of the brewery. Your business address is where you receive mail deliveries and you conduct office activity. You must include the county of this address.

Item 6. What is our brewery location? Your brewery location is where you actually brew your beer.

Item 7. Who may be a contact person? Your contact person must be someone who has authority to speak or write to any of our officers regarding any aspect of your brewing operations. You must file with us a signing authority or power of attorney for this person.

Item 15. What information must I provide if I am a member of a controlled brewery group?

1. A controlled brewery group is a group of breweries that share common ownership or controlled interest. Controlled groups of breweries include groups where:
   (a) one brewery owns controlling interest in the other brewery or
   (b) there is a common ownership in the controlling interest in each brewery.

2. If you are a member of a controlled group of breweries and you intend to transfer beer between breweries without payment of tax, you must:
   (a) give the name and principal business address of each of the other breweries; and
   (b) state whether condition 1.(a) or condition 1.(b) applies. If condition 1.(a) applies, state which brewery owns controlling interest in the other and the percentage of that interest. If condition 1.(b) applies, give the name and principal business address of the person owning controlling interest in both breweries and state the percentage of interest in each brewery.

3. If you are a member of a controlled group of breweries and the total production of all the breweries in the controlled group is less than 2,000,000 barrels of beer per year, you may be eligible to pay tax at the reduced rate. You must:
   (a) give the name and principal business address of each of the other breweries;
   (b) provide a list to allocate the reduced tax for 60,000 barrels between the members of the controlled group; and
   (c) state whether condition 1.(a) or condition 1.(b) applies. If condition 1.(a) applies, state which brewery owns controlling interest in the other and the percentage of that interest. If condition 1.(b) applies, give the name and principal business address of the person owning controlling interest in both breweries and state the percentage of interest in each brewery.

Item 17. Who may sign for my corporation? You may indicate signature authority in two ways.

- **By corporate office:** In item 17 you may list the corporate offices or employees whose incumbents may sign for your corporation. Check the box that indicates how your board authorized these officers to sign. Include the date of the meeting. List the offices by title. Attach your corporate seal. These authorities remain with the office when you change personnel in that office.

- **By name:** You may authorize specific individuals to sign by executing a power of attorney *(use TTB F 5000.8)* or a signing authority for corporate officials *(use TTB F 5100.1)*. You may limit these authorities to specific actions. For instance, you may grant a signing authority limited to monthly reports.

Item 18. When must I initial the brewpub information? Operating as a brewpub means that you will not be bottling beer but rather that you will be dispensing beer only from serving tanks. If this is the case, then you must initial each box and provide tank capacity to demonstrate that you understand special considerations for operating taverns on brewery premises.

Item 20. What are the attachments for my type of business? Follow these instructions. You must attach the organizational information and documents we require for your type of business.

If you are a....	Then you must file....
Sole proprietor	■ A list with the name and address of each person who holds an interest in the brewery, whether the interest appears in the name of the interested party or in the name of another for that party.
Partnership	■ A copy of (1) articles of partnership of association, if any; or (2) the certificate of partnership or association if required to be filed by any State, county, or municipality. ■ A list with the name and address of each person who holds an interest in the brewery, whether the interest appears in the name of the interested party or in the name of another for that party.
Corporation	■ A copy of the corporation charter or of the certificate of corporate existence or incorporation. ■ A list with the name, address, and title of each officer and director. ■ Copies of extracts or digests of minutes of meetings of the board of directors authorizing certain individuals to sign for the corporation. ■ A statement showing the number of shares of stock (or other evidence of ownership) authorized and outstanding and the voting rights of the respective owners. ■ A list with the names and addresses of all persons having a voting interest of 10 percent or more in the corporation whether the interest appears in the name of the interested party or in the name of another person. For each person listed, show the amount of the stockholding or other interest.

a. May I refer to information that I filed for another operation? If you have already filed information with us, you may incorporate that information by reference if that information is complete and accurate. You may, instead of resubmitting that information, provide a statement that:

- identifies the other premises by operating name, type *(brewery, winery, etc.)*, and location *(city and State)*; and
- specifies which organizational information and documents are being incorporated. You must attach all organizational information and documents you do not incorporate by reference.

b. What must I keep available for TTB inspection? You must keep available for our inspection the originals of the corporate documents we require under item 20 of this notice and certain other corporate documents *(articles of incorporation, bylaws, State certificates authorizing the brewer to operate in the State where located)*. Each brewer's notice filed by multi-plant brewers must state, as part of the response to item 20, the location where we may inspect these original corporate documents.

Item 21. Who is the "authorized person" who must sign this notice? These are the persons authorized to sign this notice:

If you are a....	The notice must be....
Sole proprietor	■ signed by the sole owner or ■ an empowered attorney-in-fact.
Partnership	■ signed by all partners, or ■ a partner authorized to sign on behalf of all of the partners, or ■ an empowered attorney-in-fact
Corporation	■ executed in the corporate name, followed by the signature and title of a person authorized to act for the corporation

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. We use this information collection to determine your identity as a brewer, the location and extent of your brewery premises, and whether your brewery operations conform with Federal laws and regulations. The information we request is required for you to obtain or retain a benefit and is mandatory by law (26 U.S.C. 5401(a)).

We estimate the average burden associated with this collection of information is 3 hours per respondent or recordkeeper, depending on your individual circumstances. Address your comments concerning the accuracy of this burden estimate and suggestions to reduce this burden to: Reports Management Officer, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, Washington, DC 20220.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a current, valid OMB control number.

Privacy Act Information

We provide this information to comply with Section 3 of the Privacy Act of 1974 (5 U.S.C. 552a(e)(3)):

1. **What is TTB's authority to ask for this information?** We require this information under the authority of 26 U.S.C. 5401(a). You must disclose this information to obtain authority to conduct brewing operations.

2. **What is the purpose for this information collection?** You provide this information to give TTB notice of your intention to establish a brewery, so that we may identify you as a brewer, and to identify your brewery location and processes.

3. **How does TTB routinely use this information?** We use this information to make determinations for the purposes described in paragraph 2. Also, we may disclose the information to other Federal, State, foreign, and local law enforcement and regulatory agency personnel to verify information on the form where such disclosure is not prohibited by law. We may disclose the information to the Justice Department if it appears that the furnishing of false information may constitute a violation of Federal law. Finally, we may disclose the information to members of the public in order to verify information on the form where such disclosure is not prohibited by law.

4. **What is the effect of my not supplying the information TTB requests?** If you fail to supply complete information then we will delay processing and may disapprove or deny your application.