

PRE-MADE LIQUOR INFUSIONS

The DABC Commission adopts federal regulations and incorporates them by reference:
27 CFR 31.201, and 26 USC Section 5301) & R82-5-104

1. Is it legal to Infuse fruits, herbs and/or spices into large batches for later sale?
or
2. Infuse herbs or spices etc. into the original alcoholic beverage bottle.



Nothing can be Infused into these Liquor Bottles



NOT LEGAL FOR RETAIL SALES

- ✓ The answer to the above questions is NO!

TTB's regulations clearly prohibits pre-bottling of cocktails at restaurants and bars:

- No re-using or refilling of liquor bottles with any substance whatsoever.
- Additionally, under the Internal Revenue Code of 1986 (IRC), as amended, processing distilled spirits (including mixing) may be conducted only on the bonded premises of a distilled spirits plant by a person who maintains a registration as a distilled spirits plant proprietor. (See 26 U.S.C. 5171.)
- Retail licensees such as restaurant and bars are prohibited from intermixing different kinds of products or brands in the liquor bottles from which they are being dispensed.

FOR RETAILERS: The simple thing to remember is, if an alcoholic product or beverage cocktail must be pre-mixed, pre-made, infused ahead of time, re-bottled into a different container, or infused into the original liquor bottle, you can't do it.

Dispense alcohol and mix flavorings only at the time of the alcohol beverage order.