

1. Choose the type of operation you plan on creating
 - a. How many barrels?
 - b. Will you have a tasting room?
2. How will the project be funded?
 - a. Will you have outside investors?
 - b. Are there multiple founders?
3. Form a business entity
 - a. LLCs and corporations are the most popular choices.
 - b. Consult a business CPA for tax repercussions.
4. Capital Raising (if you will be utilizing investors)
 - a. Consult a securities attorney
5. Trademark your name
 - a. You can also begin trademarking beer names if you have them already.
6. Choose a location
 - a. Are you building from scratch? Are you utilizing an existing space?
 - b. Does the zoning allow your intended use?
 - c. Will you need a CUP?
 - d. Consult an architect or contractor – you need to be sure that the space you plan to be using can accommodate a brewery.
7. Licensing
 - a. The state and federal TTB applications can generally be filed simultaneously.
8. Trademark beer names
9. Hire employees
 - a. Consult an HR or employment law professional.
10. Brew beer! This, my friends, is the fun part.
11. Price posting and label approvals (if you decide to bottle or can)

BEST PRACTICE:

“Consult a professional” is listed in the above steps more than once. When navigating unfamiliar waters it is almost always cheaper to pay for a consultation early in the process than it is to go it alone and risk costly fixes in the future. In fact we are happy to provide a list of such providers who are not only knowledgeable about the many complexities and special considerations of the craft beer industry but will speak to you at no charge.

Where should I start?

We hear this question time and time again in our offices. Opening a craft brewery is a dream come true for most, but without proper guidance the process can be overwhelming. This checklist is designed to provide a basic overview of what to do and when.

Keep in mind that one sheet of paper inevitably cannot cover every contingency and this should not be considered legal advice. As noted throughout, consult a professional for counsel customized to your needs.

Questions?

If you have further questions or concerns regarding craft breweries or the ABC Act, feel free to contact us at:

The Craft Beer Attorney, APC
craftbeerattorney.com
619-749-4115

