



Wisconsin Brewers Guild

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Guidelines for Beer Festival Coordinators

Wisconsin's craft beer industry has enjoyed robust growth over the past ten to fifteen years. All indications point toward continued growth in the future and we attribute a good deal of this progress to outstanding products created here in Wisconsin along with promotion that our members' brands have received through various opportunities including festivals like yours. We thank you for your enthusiasm and organizational efforts.

However, with all things good and well-intentioned we all have a responsibility to be aware of compliance requirements. Unfortunately, there are sometimes occurrences in which craft beer-focused events are either not fully compliant with local and state law or are not operating in a responsible manner. A successful craft beer event is our shared goal and to achieve such success we must all take legitimate concerns of liability, legal responsibility, and financial obligations into consideration.

Therefore, it is the unified position of the Wisconsin Brewers Guild that, in order to encourage member brewery participation, festivals and participants have a responsibility to adhere to the following criteria and requirements:

1. Licensing. The event must be properly licensed by the local municipality or, if applicable, by the State of Wisconsin. Typically, this means that a bona fide club must obtain a Temporary Class "B" license issued by the local municipality or the event must take place on the premises of a licensed establishment. In some situations, a Special Use permit may be required.

If you are unsure of the proper licensing requirements or how to apply for such licensing, contact the local government of the municipality in which the event will be held. It is likely that the municipal clerk or treasurer will be able to assist you in pursuing the licensing your event will require.

2. Insurance. The event host/license holder shall acquire event liability insurance and have such proof available.

If your event or organization currently possesses liability insurance and the event is already covered, proof can be provided through a Certificate of Insurance. Speak with your insurance agent to find out if participating breweries and/or restaurants will need to be listed as additionally insured parties on that Certificate. Please understand that requiring reciprocating certificates from breweries listing the event as additionally insured may inhibit participation. This redundancy is not required from traditional holders of licenses.

If your event or organization does not currently possess liability insurance, you must contact a licensed agency to acquire the coverage before breweries and/or restaurants can commit to attending your event.

3. Licensed Servers. The event host/license holder shall have at least one licensed bartender on the premises. The bartender must be licensed by the municipality in which the event will be held.

4. Purchasing of Beer. The event host/license holder must purchase all products from any self-distributing brewery or through the duly assigned distributor of any brewery brand. Product may not be purchased from other retailers. It will be the requirement of breweries to get assignment from distributors who either cannot or decline to provide such service. The license holder must pay the appropriate "Price to Retailer" (PTR) for all products. *Donations of beer to licensed events are prohibited by state law.*

Additionally, it is illegal to serve homebrewed beer at a ticketed event. Selling tickets to access beer at a festival constitutes the sale of beer. Homebrew cannot be purchased or sold nor can it be given away if there is an admission fee.

5. No Cost Participation. The event host/license holder is prohibited by state law from requiring items of value in exchange for participation, such as table fees, required donations, or charging for labor. Such requirements are not legal.

To maintain compliance, participation in your event should be optional and at no cost to the brewer, whether monetary or implied by some other means. Otherwise, the mandatory item or fee would be interpreted as a requirement for participation which is not allowed by law. For instance, your event may request donations of raffle items from participants but cannot eliminate a brewer from participating simply because they choose not to make a donation. (please note that in this example, you may be required to obtain a raffle permit)

6. No Unauthorized Use of Logos and Other Intellectual Property. The event host/license holder shall not use any brewery's intellectual property for promotion, advertisement or other use without explicit permission from the brewery. While a wholesaler may have permission to use a brewery's intellectual property, this does not automatically grant its use.

It is imperative that owners of intellectual property have ultimate control of its use. To use such items, without permission, is a violation of the law and can be misleading to loyal consumers. Wisconsin brewers deserve the option to choose which events their brands are associated with.

Before using a brewery's business name, logo, slogan or other branding on your event's posters, website or other advertising, request permission to do so from the brewery. Requests can easily be added to your event's forms or paperwork for sign-up or can simply be made by sending an email to the brewery requesting use of their intellectual property (which is also a great time to ask for an appropriate resolution image).

7. Refrain from Using Misleading Claims in Marketing or Advertising. The event host/license holder shall be held accountable for false claims or misleading advertisements, no matter how minor they may seem.

If your event is raising funds on behalf of a charitable cause or organization, it should clearly identify the charity, whether all or a portion of the proceeds will be donated, and comply with all Wisconsin Department of Financial Institutions requirements where applicable. (see <https://www.wdfi.org/CharitableOrganizations/> for more information)

The Wisconsin Brewers Guild and each of its members take great pride in both the craft-brewing industry and the broad variety of beer styles produced each year in this great State. As such, our organization expects your event to respectfully place its emphasis on the products and skilled labor required to create the great craft beers you plan to serve and promote.

8. Security & Monitors. The event host/license holder shall provide adequate security and the appropriate number of responsible persons to oversee/monitor the sampling audience.

9. Promote Responsible Consumption. The event host/license holder shall be responsible for the activities which occur during their event and is obligated to promote responsible consumption.

The incorporation of drinking games, promotions or advertisements emphasizing “all you can drink” or providing exceptionally large samples or glassware to attendees are not in the best interest of providing a safe and quality event.

The Wisconsin Brewers Guild is fully dedicated to enhancing the great brewing heritage for which Wisconsin is known nationwide. It is only with a proactive approach to legal and responsible awareness that we, both brewers and festival event coordinators, can ensure continued success.

Further, the Wisconsin Brewers Guild welcomes communities, organizations and other potential event hosts to work in partnership with us. The Guild has the people power and the tools necessary to have a successful, safe, and meaningful event. Inquire about joining us as a Festival Member of the Wisconsin Brewers Guild to get additional promotional and logistical support!

We sincerely appreciate your support and understanding. If you have questions or would like to pursue partnership opportunities with us, please contact us at 608-441-1992 or by email at info@wibrewersguild.com