

PEA Committee

From: Michael Baeta <baeta55@gmail.com>
Sent: Monday, December 03, 2018 7:20 AM
To: PEA Committee
Subject: PEA-56
Attachments: to county council.docx; Requested Change and Recommendations to Hawaii Stat.docx

Aloha Maui County, Yuki Sugimura,

My name is Mickey Baeta, I am resident of Maui county, a retired Law Enforcement Officer and President of the Brew Maui Home Brew Club. I am sending this email to make sure the Council is aware of the plight the Home brewers of Maui and Hawaii have with the Liquor Control. We are presently working with the state legislature to submit a change in legislation as it applies to all home brewers in Hawaii. I have attached 2 documents in regards to both Maui and our attempt to update legislation.

Mahalo,
Mickey Baeta



To Yuki Sugimara, County Council

We are a group of individuals and couples who have the same interests, brewing our own, quality, craft beer. We have a passion for the art of brewing, for the nuts and bolts of brewing, and all that there is in between (plus we enjoy the fruits of our labor). The number one reason for home brewing is the creative and artistic aspect of the hobby. Creating a well-crafted beer at home is much like cooking a gourmet meal.

The number two reason for home brewing among with members is the scientific and educational aspect of brewing. The process of brewing beer involves biochemistry and thermodynamics. We are registered and listed with the American Home Brewers Association and are listed on Maui Brewing's Calendar of events as well as in their community section. We carry liability insurance via the American Home Brewers Association. Our club fund raisers have raised donations for the Pacific Cancer Foundation and Maui Culinary Academy.

The **Brew Maui Home Brew Club** started about 13 years ago with a handful of home brew enthusiasts and grew to well over 50 members. We just completed our 10th annual Home Brew contest with well over 75 entries, this is a good turnout. Our contests bring home brewers from all the Hawaiian Island and Guam, as well as entries from the west coast. We conduct a monthly meeting which includes education, evaluation, critique and tasting a members submitted home brewed beer.

In past years we have been supported by several liquor licensee business. We bring business to them and if not for the support of the Craft Brew Industry we probably could not exist...It has been a great relationship with several of those companies. We do not sell our homebrew nor allow anyone who is not a club member to sample, test or evaluate our homebrew.

In preparation of the 2018 Brew Maui Home Brew Club Contest some confusion with the Maui County Liquor Commission resulted in Brew Maui Home Brew Club not being able to utilize our Maui County Liquor Licensees businesses as supporters, drop off sight for the receiving of Home Brew for the contest and use of the facilities for judging of the Home brews by certified BJCP judges. Those businesses were threatened with a search of their premises if they continued to support our organization

The contest was suspended till another site could be found. We did find a new site lost our sponsors and after reopening the contest lost about 20 entries for the contest. In past years we have counted on the sponsorship of businesses to support our club and actively participate in the annual Maui Brewers Festival at the Maui Arts and Cultural Center. We were unable to donate to our local non-profits due to the loss of entries.

My question and discussion for the Maui County Liquor Commission is:

What process and authorization process could the Liquor Commission, Licensed business and the Brew Maui Homebrew Club put in place to allow the association and support on a temporary basis (once or twice a year) be able to utilize those licenses to permit us to have drop off, store, and possibly conduct our contests at that licensed business?.

Mahalo,

Mickey Baeta, President. Brew Maui Homebrew Club

STATE OF HAWAII
TITLE 16. INTOXICATING LIQUOR
CHAPTER 281
INTOXICATING LIQUOR
PART I. GENERAL PROVISIONS

Requested Change and Recommendations to Hawaii Stat. §281.3

§281-3 Illegal manufacture, importation, or sale of liquor. It shall be unlawful for any person not having a valid license to manufacture or sell any liquor except as otherwise provided in this chapter;

Homebrewing exception:

(a) Any adult may produce homemade beer, wines and fermented fruit juices, without payment of tax, for personal or family use and not for sale. An adult is any individual who is 18 years of age or older. If the locality in which the household is located requires a greater minimum age for the sale of beer to individuals, the adult shall be that age before commencing the production of beer. This exemption does not authorize the production of homemade beers, wines and fermented fruit juices for use contrary to State or local law.

(b) The production of homemade beer, wines and fermented fruit juices per household, for personal or family use may not exceed:

- (1) 200 gallons per calendar year if there are two or more adults residing in the household, or
- (2) 100 gallons per calendar year if there is only one adult residing in the household.

Removal of homemade beer, wines and fermented fruit juices

Homemade beer, wines and fermented fruit juices made under §281-3 may be removed from the premises where made for personal or family use including use at organized affairs, exhibitions or competitions such as homemaker's contests, tastings or judging. Homemade beer, wines and fermented fruit juices removed under this section may not be sold or offered for sale.

A licensee may host an organized judging, tasting, exhibition, educational session, contest of homemade beers, wines and fermented fruit juices, or related events, at the request of a home brew club at the premises described in a full or limited on-premises sales license, off-premises sales license, brewery-public house license, brewery license, winery license or warehouse license of the licensee. The licensee and representative from the home brew organization will notify the Liquor Commission of the County of Jurisdiction in writing of this event.

Homemade beer, wines and fermented fruit juices may be stored at the premises described in a full or limited on-premises sales license, off-premises sales license, brewery-public house license, brewery license, winery license or warehouse license of the licensee. The homemade beer, wines and fermented fruit juices must be clearly identified by the owner and a representative of the homebrew organization. The homemade beers, wines and

fermented fruit juices kept separate from the alcoholic beverage stock of the licensee. The licensee and representative from the home brew organization will notify the Liquor Commission of the County of Jurisdiction in writing of this event.

The holder of a brewery-public house license or a brewery license may allow patrons to brew malt beverages if the brewing is conducted under the direct supervision of the licensee or employees of the licensee and the brewing is be conducted for educational purposes. The licensee and representative from the home brew organization will notify the Liquor Commission of the County of Jurisdiction in writing of this event.

Home brewed beer, wines and fermented fruit juices made by the club members may be consumed by club members and guests attending a homebrew education or judging session while on the licensed premises during the club meeting or by competition organizers, competition judges, and competition stewards on licensed premises during a bona fide home brewed beer competition or Homemade wines and fermented fruit juices competitions.. Certified professional beer brewers and/or brewers of homemade wines and fermented fruit juices from the licensed premises may assist in the judging and tasting of homemade beer, wines and fermented fruit juices at contests on that premises.

It shall also be unlawful for any person, not having a valid wholesale license or a valid manufacturer's (including rectifier's) license, to import any liquor from without the State, except as otherwise provided in this chapter. Liquor imported into this State shall come to rest at the warehouse of the manufacturer (including rectifier) or the wholesaler importing the liquor, shall be unloaded into such warehouse, and shall be held in such warehouse for at least forty-eight hours before further sale by such manufacturer (including rectifier) or wholesaler.

It shall also be unlawful for any person to label, designate, or sell any liquor using the word "Hawaii", "Hawaiian", "Aloha State", "50th State", "Kauai", "Maui", "Oahu", or "Honolulu" unless such liquor is wholly or partially manufactured in the State, and all of the primary ingredients are wholly rectified or combined in the State of Hawaii in compliance with the Alcohol and Tobacco Tax and Trade Bureau standards.

A license shall constitute authority for the licensee to sell only the liquor thereby authorized to be sold by the licensee. [L Sp 1933, c 40, §2; RL 1935, §2571; am L 1935, c 105, §2; am L 1937, c 211, §3; RL 1945, §7222; am L 1951, c 223, §1(2); RL 1955, §159-3; am L 1963, c 50, §1; HRS §281-3; am L 1972, c 95, §1; am L 1980, c 57, §1 and c 199, §1; am L 1981, c 182, §2; am L 1982, c 76, §1; gen ch 1985; am L 1986, c 344, §12; am L 1987, c 141, §1; am L 1990, c 171, §2; am L 2009, c 184, §3]

American Homebrewers Association, John Moorehead
Brewers Association

United States Code of Federal Regulations Title 27, Part 25, Subpart L, Section 25.205 and Section 25.206