

A Wisconsin Alcohol Industry Update

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DOR ON TAP

Happy summer, DOR on Tap readers!

It seems that every new season at the Division of Alcohol Beverages comes with change. Such is the life of a toddler division (we turned two on May 1)! Here's what's been happening at DAB so far this summer:

Staffing Updates

At the end of May our Division Administrator, Mark Meyer, retired. While we were sad to see him go, we wish him well in retirement. Mark was instrumental in developing the Division and building the DAB team to what it is today. Thank you, Mark, for the dedication and knowledge you have brought to DOR over the past two years!

In April, Team Education & Outreach bid farewell to Meg McCullough. We were sad to lose her, but happy for her to spend more time with her family in retirement.

As a result of our loss of dear Meg, Caitlin handled the phones during licensing season almost entirely by herself! Caitlin has really stepped up for this team and I'm so proud of her.

We were able to execute a recruitment quickly to replace Meg,

and Team Education & Outreach are thrilled to welcome John Kleinfeldt to our team. Before joining DAB, John served as the supervisor of the Field Investigation Unit at the Department of Transportation's Division of Motor Vehicles. John has years of experience as a state level regulator of the auto dealer industry. Caitlin and I are excited to see how John's experience and knowledge will positively impact the operations of Education & Outreach into the future. Welcome, John!

The Enforcement Bureau is on its way to finishing up a recruitment for three special agent positions created by upward internal movement, a retirement, and an additional position. Expect to see a staffing update announcing our new team members in the next edition of DOR on Tap.

So Long, Licensing Season!

Congratulations to the clerks, governing body members, and retail alcohol industry members who survived the 2026 – 2027 licensing season!

Here in DAB Education & Outreach, licensing season is our Super Bowl.

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We handled over 1,900 email inquiries and over 820 phone calls from the beginning of April through mid-June. Note that this doesn't count any phone calls or emails handled directly by our Enforcement Bureau or wayward licensing calls that the Permitting Bureau handled!

Hello, Reporting Season!

Form AT-827, Municipal Retail License Report, was rolled over for the 2026 licensing year at the beginning of May. Municipalities have a statutory obligation to report any alcohol beverage or cigarette, tobacco, and electronic vaping device licenses to the state by July 15 each year. Use MyDORGov, provided by the Department of Revenue, to submit the form regardless of your filing method. Check out the [Municipal Retail License Report landing page](#) for more details and assistance.

NCSLA – Coming Soon!

The Wisconsin Division of Alcohol Beverages is hosting the [National Conference of State Liquor Administrators \(NCSLA\)](#) Central and Western Regional Conference in Madison in early fall 2027! Wisconsin has been a member of NCSLA for some time, but our activity in the national regulator network waned. For three

years, the Department has prioritized reinvesting time in this organization, and the connections to regulators across the country have proven critical as the Division has been built. We are excited to showcase Wisconsin on a national stage.

We have an exciting issue of DOR on Tap for you this July. I hope you enjoy the feature article straight from the Alcohol and Tobacco Tax and Trade Bureau (TTB) on label approvals. 'Tis the season for drinking a cool one outside. Check out our article on designated outdoor refreshment areas (DORAs) to know how to imbibe legally. We're always looking for room to improve our content, so please take a few minutes to complete our [DOR on Tap Readership Survey](#)!

Salud!

Ann

Education & Outreach Unit Supervisor



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Agents of Chaos

Wisconsin alcohol beverage law uses the word "agent" 94 times throughout Chapter 125. Accordingly, you will find DAB using this word in many of our publications, forms, and other communications.

Most commonly, an agent means a real person appointed by a licensed or permitted business who is responsible for the conduct of that business's alcohol beverage activities. These agents are subject to the license holding qualifications such as responsible beverage server training course, residency, and criminal history requirements. Businesses complete Form AB-101 to designate or change this agent. In-state retail license and permit holders are the businesses typically required to appoint an agent.

Conversely, businesses outside of Wisconsin applying for direct wine shippers or out-of-state shipper's permits must appoint a registered agent for the service of process. These agents may be individuals or businesses that accept documents related to legal actions brought by the Division. New permit applicants can check with their current registered agent service provider for a Wisconsin location or search the internet for registered agents doing business in Wisconsin.

Quick Tips: How to Get Label Approval from TTB

Guest written by the Office of Education & Outreach and General Counsel of the Alcohol Tax and Trade Bureau (TTB)

Have you ever wondered when, and how, to get label approval from the Alcohol and Tobacco Tax and Trade Bureau (TTB)? These quick tips will help you to get approval and stay compliant with Federal labeling requirements!

When is TTB label approval required?

Obtaining a certificate of label approval (COLA) from TTB is required for products that fall under the Federal Alcohol Administration Act (FAA Act). The FAA Act applies to the following products when they are sold, shipped, or otherwise introduced in interstate or foreign commerce:

- Distilled spirits
- Wines that contain 7% to 24% alcohol by volume
- Beers that contain both malted barley and hops (“malt beverages”)

Distilled spirits and wines (with an alcohol content from 7% to 24%) that are sold only within the state where they are bottled may qualify for a certificate of exemption instead of a COLA. Malt beverages that are only sold intrastate do not need a COLA or a certificate of exemption.

For domestic products, a COLA (or certificate of exemption) must be obtained by the bottler prior to bottling. This applies even when contracting with another entity to produce products for you: The bottler gets the COLA. For imported products, the importer must obtain the COLA prior to removal from Customs custody.

Wines containing less than 7% alcohol by volume and beers that do not contain both malted barley and hops do not need a COLA (or certificate of exemption) from TTB but may still be subject to labeling requirements of the Internal Revenue Code and Alcoholic Beverage Labeling Act administered by TTB and the Federal Food,

Drug, and Cosmetic Act administered by the Food and Drug Administration.

What are the requirements for label approval?

The requirements of the FAA Act and its implementing regulations vary for distilled spirits, wines, and malt beverages, but all labels must be truthful, not misleading, and include all mandatory information. Applications that do not meet these requirements will be returned for correction.

TTB’s website, [TTB.gov](https://www.ttb.gov), provides all the resources you need to understand labeling requirements. The Anatomy of a Label tool and Mandatory Information Checklist—found on TTB’s [Distilled Spirits Labeling](#), [Wine Labeling](#), and [Malt Beverage Labeling](#) pages—are particularly helpful, as is the topicspecific guidance. TTB also offers labeling overview videos on its [Boot Camp Video Series](#) page.

How do I get a COLA for my product?

You can apply for a COLA using [COLAs Online](#). Once you’ve registered for an account, just follow the instructions and prompts for submitting your online application. If no corrections are needed, you’re done. There is no fee to apply, and approval often takes less than a week!

Does my product also need formula approval?

Certain beverages require an approved formula to ensure proper classification. This includes products with added flavors, colors, or artificial sweeteners, as well as specific categories like flavored spirits and imported gins. To find out whether your product needs formula approval, simply answer a few questions in TTB’s online [formula tool](#).

If required, you will need to obtain formula approval prior to applying for labeling approval. You can find everything you need to know about formula approval on TTB’s [Formulation page](#), including how to apply. Note that you may need formula approval even if your product doesn’t require label approval.

Who can I contact for more information?

If you still have questions after reviewing the resources on TTB.gov, you can reach out to the Alcohol Labeling and Formulation Division on their [contact form](#) or by calling 866-927-ALFD (2533). Customer service representatives are available 8 a.m. to 4:30 p.m. ET, Monday - Friday (except for federal holidays).



Beep Beep!

A Mobile Bar?

As the weather warms up and events start to take place across Wisconsin, we want to remind everyone about the basics around mobile bars and catering.

Do I need a license to sell alcohol beverages? Yes. It is prohibited to make retail sales of alcohol beverages without holding the appropriate license or permit. “Sale” includes any shift, device, scheme, transaction, or the sale for future delivery of alcohol beverages.

Is there a mobile license allowing trucks or trailers to move around making sales at various locations? No. Municipalities issue retail alcohol beverage licenses for specific premises on real property (i.e., permanent, fixed locations). These licenses are not mobile; they do not travel with the business from place to place. Sales must occur on licensed premises, with the buyer and seller both physically present at the time of sale. You may see mobile trailers delivering and dispensing beer at events, like weddings. This is legal activity if the alcohol beverages are dispensed (not sold) by the licensed catering business at a non-licensed property and the venue is not a public place. [Fact Sheet 3108, Catering Alcohol Beverages](#), includes additional details on caterers legally dispensing alcohol beverages at an off-site location.

Is an operator’s license needed if I am only serving alcohol beverages and not selling? A business offering bartending services must determine if they are providing bartending services at a location that holds a retail alcohol beverage license. The sale or service of alcohol beverages at a public place requires the seller and location to have a retail alcohol beverage license. An operator’s (bartender’s) license is only required to dispense alcohol beverages at licensed or permitted premises. See [Fact Sheet 3104, Operator’s Licenses](#), for more information on bartender requirements.

What about producers selling at parks, festivals, and similar events? Wisconsin Act 73 authorized eligible producers who meet certain production volumes to apply for full-service retail outlets at both their production premises and off-site locations. This includes a full-service retail outlet at an unlimited transfer location. Producers can apply first to the municipality, then to the Division of Alcohol Beverages, using Form AB-105 for authorization for one of these “pop-up” sites at summer events. The producer is then issued a document authorizing the location, which must be displayed per [Tax 7.17\(5\)\(c\)](#), if both the municipality and DAB approve of the “pop-up” full-service retail outlet. Please see our [Common Questions](#) document for more details.



The Basics of Business Sales

What happens when a business with a license is sold?

It is a common misconception that retail licenses are transferred to the new owner when a business is sold.

If a retail licensee sells their business, specific details of the transaction dictate how the new owner can maintain alcohol beverage license compliance.

- If the entire entity was sold, e.g., the entire LLC or corporation, including the EIN, this is merely considered a change of fact.
 - The licensee should follow the “subsequent changes” procedure in [Publication 309](#), Part 8A, to add and remove the relevant persons in the business structure, changing the agent (if needed) with the procedure in Part 8C.
 - Please note that delinquent alcohol debts will stay with this entity.
- If the business is selling only the licensed location/property, but not the business name and EIN, then a new business entity needs to apply for a license as an original applicant.
 - Follow the process in [Publication 309](#), Section 8D, which stipulates new entities should go through the standard new license process in Section 7A.
 - Every time an initial (as opposed to a renewal) application is received for a reserve liquor license, the minimum initial issuance fee of \$10,000 is required per sec. [125.51\(3\)\(e\)2](#). Wis. Stats., including when the business sells to a new entity.
- A business restructure generally also requires a new application because the business entity itself is changing. For example, a partnership changing to a corporation typically requires a new original license application.

But when can someone transfer a retail license? Only in very limited circumstances:

- Person-to-person transfers, found in [Publication 309](#) Part 8B, are limited to death of the licensee, disability of the licensee, bankruptcy, or assignment for the benefit of creditors.

- The sale of a business alone does not qualify for a license transfer.

- Place-to-place transfers, found in [Publication 309](#) Part 8B, allow for the transfer of a license from one premises to another within the same municipality. Such a transfer is subject to municipal governing body approval and does not apply to reserve or above-quota liquor licenses.

What happens to permits when a business sells?

What happens when a permittee sells their business depends on what was sold:

- If the entire entity was sold, e.g., the LLC or corporation, including the EIN and all else remains the same, this does not require a new original permit application. Instead, the permittee should update the structure of the existing ownership, such as the relevant persons involved in the business. In this circumstance, the permit number, permitted premises, and location address will remain the same. To process, the division will ask for:
 - A change of ownership request in writing with form AB-300 Personal Questionnaire and \$7 background check fees for each new owner, and form AB-101 Appointment of Agent, if the agent will be changing.
 - Confirmation that the change of ownership has been updated with the Wisconsin Department of Financial Institutions.
- If the business is selling only the permitted location/property, but not the business name and EIN, then a new business entity needs to apply for a permit as an original applicant. To process, the Division will ask for:
 - A new permit application mailed to the Division along with the applicable permit fees and all supplemental documentation, including a copy of the federal permit and A-133 Surety Bond, if applicable.
 - Closing documents to show the effective date of the sale.
 - The current permittee to relinquish their permit before the new entity can be issued a permit upon approval.

Alcohol beverage permits may not be transferred from person to person under any circumstances.

Exploring DORAs: An FAQ

Is consumption of alcohol beverages in a public place legal?

Section [125.09\(1\)](#), Wis. Stats., prohibits consumption of alcohol beverages in a public place without a license or permit.

What are open container laws?

Open container laws are implemented by local governments that restrict consumption or carrying open containers of alcohol beverages onto public property, such as sidewalks, streets, or parks. Open container laws are not governed by the Division of Alcohol Beverages under Chapter 125.

What is a Designated Outdoor Refreshment Area (DORA)?

A Designated Outdoor Refreshment Area (DORA) is an area of public land where open container laws have been relaxed by the local government that oversees that area. DORAs can include public streets, sidewalks, parks, or other public property such as a community center, stadium, or city hall. Local governments create a DORA by adopting a formal ordinance or resolution designating the area where open container laws are relaxed and when and where alcohol beverages may be openly consumed in the designated area.

Where and when can alcohol be consumed in a DORA?

Alcohol beverages may be consumed openly in the geographic area defined by the resolution or ordinance passed by the governing body. This may include a map, specific geographic markers, parks, or streets and sidewalks.

A governing body may limit consumption in the DORA by time of day or week by defining specific hours of the day or day of the week when alcohol beverages may be consumed (from 9 a.m. to 10 p.m. on Saturdays and Sundays, for example).

A DORA could also exist for a temporary period of time, such as a weekend street festival.

My licensed premises is in a DORA. Does this mean people can carry alcohol beverages purchased elsewhere in the DORA onto my premises?

No. Carry-ins of alcohol beverages onto licensed premises are strictly prohibited under s. [125.32\(6\)](#), Wis. Stats.

My unlicensed business is in a DORA. Does this mean people can carry alcohol beverages purchased elsewhere in the DORA into my business?

No. Alcohol beverage consumption is prohibited in an unlicensed or unpermitted public place by s. [125.09\(1\)](#), Wis. Stats. Municipal and county property is exempt from public consumption restrictions. If a DORA is created, it **only** applies to property controlled by the governing body. A business (regardless of whether it sells alcohol beverages) is a public place when it is open for normal business hours.

Permits or Bust?

A March 2026 investigation by DAB Special Agents resulted in criminal charges for two individuals in Polk County. Gregory J. Tougas of Milltown and Christopher M. Weinmeyer of Osceola were each charged with one count of conspiracy to commit the offense of manufacturing intoxicating liquor without holding appropriate permits. Tougas and Weinmeyer were charged in Polk County on March 5, 2026.

According to the [criminal complaint](#), Special Agents of the Division of Alcohol Beverages, with the assistance of the Milltown Police Department and Polk County Sheriff's Office, executed a search warrant in the Village of Milltown. During that search warrant, it is alleged that numerous items were located that appeared to be consistent with the manufacturing/rectifying of intoxicating liquor. The criminal complaint also alleges that several containers of liquid that appeared consistent with manufactured or rectified alcohol beverages were located. Tougas and Weinmeyer were each subsequently taken into custody.

If convicted, Tougas and Weinmeyer may each be imprisoned for up to 12 years and six months or face fines up to \$25,000, or both. The Polk County District Attorney's Office is prosecuting the case.

It is allowable under Wisconsin law for individuals to make homemade wine and beer, with restrictions. However, the manufacturing or rectifying of distilled spirits without holding a valid manufacturer's/rectifier's permit is illegal.

The Division of Alcohol Beverages, Bureau of Enforcement investigates individuals and businesses suspected of committing alcohol beverage crimes and may seek criminal prosecution for those crimes. To report a suspected alcohol beverage violation, use the Division's online [Alcohol Beverage Complaint](#) portal.

Seltzers: Are They Beer or Liquor?

‘Tis the season of summer events. Many qualifying organizations will seek a temporary beer (Class “B”) and/or a temporary wine (“Class B”) license for summer fun. 2023 Wisconsin Act 73 changed the definition of “fermented malt beverages,” expanding the types of beverages that beer-only licensees may sell. Distilled spirits-based products often have quite similar packaging to fermented malt beverages (12-oz aluminum cans), which can cause confusion when classifying the products. This article focuses on temporary beer licenses.

A temporary beer license allows the sale of any fermented malt beverage. State law defines a fermented malt beverage in sec. [125.02\(6\)](#) Wis. Stats., as any of the following:

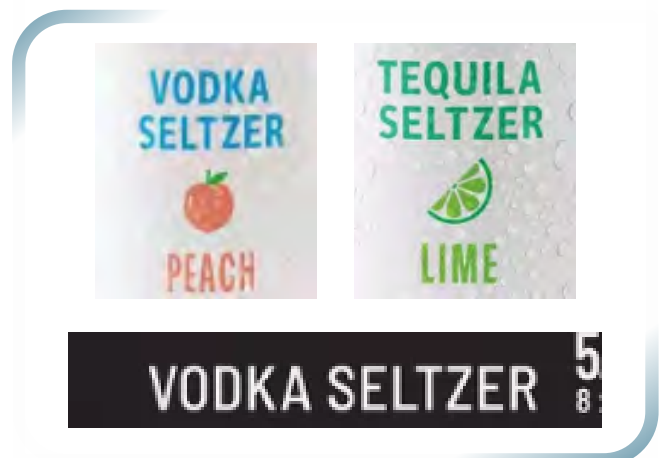
- a. Any beverage made by the alcohol fermentation of an infusion in potable water of barley malt and hops, with or without unmalted grains or decorticated and degerminated grains or sugar containing 0.5 percent or more of alcohol by volume.
- b. Any beverage recognized by the federal department of the treasury as beer under [27 CFR part 25](#), except sake or similar products.



In plainer language, this license authorizes beer and any seltzer that is fermented from grains or sugar. These beverages feature labels stating, “fermented malt beverage”, “malt beverage,” or “beer.” See these examples:



Seltzers made with distilled spirits, like vodka, tequila, or rum, are considered intoxicating liquor and *cannot* be sold under any temporary license. Labels on these products specifically list the type of liquor they are made with. See these examples:



In addition to the tips above, wholesalers should guide the licensee on identifying the appropriate products a licensee is authorized to sell. Temporary licensees found to be selling distilled spirits-based drinks of any kind are violating the law and subject to criminal and civil penalties.

