



# FERMENT ON PREMISE

## INFORMATION SHEETS FROM THE ALCOHOL AND GAMING COMMISSION OF ONTARIO



### **FERMENT ON PREMISE**

A Ferment on Premise Licence allows you to provide a facility where equipment for making wine and beer “on the premises” is available for customers to make their own wine or beer for personal use. The emphasis here is on “personal use”: ferment on premise facilities cannot offer for sale, keep for sale, produce for sale or sell, wine or beer. In addition, the regulations do not allow the exchange or giving of alcohol on the premises.

### **RESPONSIBILITIES OF THE LICENSEE, AND THE LICENSEE’S EMPLOYEES OR AGENTS**

Before the end of the customer’s first visit to the Ferment on Premise establishment, the licensee must transfer ownership of the ingredients being purchased by the customer.

Before someone can even begin to make beer or wine on the licensed premises, the licensee must prepare and provide an invoice to that person. An invoice must be provided whether the person making the beer or wine is a customer, the licensee or one of the licensee’s employees. The following information must be on the invoice:

- a) the name, address and telephone number of the licensee;
- b) the name, address and telephone number of the person making the beer or wine;

- c) whether beer or wine is being made and the quantity;
- d) the ingredients provided to the person making the beer or wine and the price of the ingredients;
- e) the services provided to the person making the beer or wine and the price charged for those services;
- f) the date that the making of the beer or wine is to begin;
- g) the amount of payment received from the person making the beer or wine; and
- h) a notice to the person making the beer or wine that it must be for the person's personal use only.

The licensee must ensure that each carboy (a large container specifically designed to hold fermenting wort and juice) being used for making beer or wine has a tag attached to it with the following information:

- a) the number of the invoice provided to the person whose ingredients have been placed in the carboy; and
- b) the date on which enzymes or yeast were added to beer wort, wine juice, wine juice concentrate or other juice or juice concentrate in the carboy (where applicable).

The licensee or the licensee's employees or agents:

- a) may add finings or stabilizing agents to the customer's other ingredients;
- b) may operate equipment to filter and add carbonation to the customer's ingredients; and
- c) may rack the customer's beer or wine.

## **CUSTOMER'S RESPONSIBILITY**

The customer must start the fermentation process by him/herself at the facility and carry out certain steps to produce the beer or wine, including the following:

- a) the customer must add the yeast or enzymes needed to begin the fermentation process to the beer wort, wine juice, wine

- juice concentrate or other raw material of beer or wine; and
- b) the customer must place his or her beer or wine in containers;
- c) the customer must label, cork, cap, shrink wrap or package his or her beer or wine;
- d) the customer must remove his or her beer or wine from the licensed premises immediately after it has been placed in containers.

A customer may designate a person, other than the licensee or the licensee's employee or agent, to complete these steps at the premises on the customer's behalf.

## **PERMITTED AT FERMENT ON PREMISE ESTABLISHMENTS**

- A customer may be given a sample of his/her own beer or wine after fermentation, carbonation or filtration has occurred, as long as the sample is no larger than 170 millilitres and is consumed on the licensed premises.
- The licensee or any of the licensee's employees can make beer or wine on the licensed premises for their personal consumption away from the premises. However, the licensee must prepare an invoice in the same way as he/she would for a customer making beer or wine.
- The licensee or an employee can carry the customer's beer or wine out of the licensed premises to a waiting vehicle.
- The licensee must make sure that the licensed premises are clearly defined and are kept separate from other premises that are used for different purposes.
- The licensee must make sure that the licensed premises are kept separate from other premises for which another type of licence has been issued by the AGCO. This is done by way of a fixed floor-to-ceiling wall.
- The licensee must make sure that the licence is posted in a conspicuous place on

the licensed premises.

- The licensee must keep records of the purchaser's ingredients and a copy of each invoice for at least one year.
- On request, the licensee must provide to the Registrar of Alcohol, Gaming and Racing (Registrar), annual figures showing the amount of beer and wine produced on the licensed premises.
- On request, the licensee must provide all his/her records to an AGCO inspector or police officer.
- The business can only operate under the business name on the Ferment on Premise Licence.
- Ferment on Premise licences must be renewed before the expiry date on the licence. If a licence expires, it cannot be renewed and a new application must be submitted.
- If there is a change of ownership of the business, the Registrar must be informed.
- If the licensee or an employee of the licensee suspects that someone is under 19 years of age, they should ask that person for government issued photo ID.
- Every Ferment on Premise facility must display a "Sandy's Law" warning women who are pregnant that drinking alcohol during pregnancy is the cause of Fetal Alcohol Spectrum Disorder. The sign must be prominently displayed in all locations where persons make beer or wine. For more information and to download a copy of the "Sandy's Law" sign, please see **Signage Requirement – "Sandy's Law."**
- Licensees may remove carboys that are being used in the making of beer or wine from the licensed premises with prior notification to the Registrar.

## **NOT PERMITTED AT FERMENT ON PREMISE ESTABLISHMENTS**

- Customers cannot put their ingredients in any carboy that contains ingredients belonging to any other customer.
- Self-fermenting juice products are not

permitted. Every customer must add the yeast to begin the fermentation process.

- Beer or wine for sale or exchange cannot be produced on the licensed premises.
- You can't keep for sale or exchange, offer for sale or exchange, sell or exchange beer or wine on the licensed premises, regardless of who the beer or wine belongs to or who made it.
- Licensees cannot give liquor to any person on the licensed premises.
- Licensees cannot permit the exchange, sale or giving of beer on the licensed premises.
- Licensees cannot permit anyone other than a customer, or the customer's designate (who may not be the licensee or the licensee's employee or agent), to make beer or wine on the licensed premises (that customer may be the licensee or a staff member, however all necessary paperwork must be completed).
- Neither the licensee nor his/her staff may deliver a customer's beer or wine.
- Licensees cannot store for a customer any beer or wine that has been placed in containers.
- Licensees may remove carboys that are being used in the making of beer or wine from the licensed premises with prior notification to the Registrar.
- Licensees cannot permit liquor to be brought into the premises that is intended to be added to beer or wine or to ingredients for making beer or wine.
- Licensees cannot permit a customer to advertise in the licensed premises that there is beer or wine for sale or exchange.
- No other business is allowed to operate at the licensed premises other than the operation of a ferment on premise facility and the sale of items connected to it.

---

For more information, please contact AGCO Customer Service at 416-326-8700 or 1-800-522-2876 (toll free in Ontario) or visit us online at [www.agco.ca](http://www.agco.ca).