



**COLORADO**  
**Department of Revenue**  
Specialized Business Group—  
Liquor & Tobacco

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**February 8, 2023**

**BULLETIN 23-01**

**REFERENCE: Bulletin 23-01 - Fermented Malt Beverage and Wine Retailers-Wholesaler Deliveries**

On November 8, 2022, the People of the State of Colorado voted to amend Articles 3 and 4 of Title 44 in the Colorado Revised Statutes. As a result, beginning on March 1, 2023, currently licensed **Fermented Malt Beverage Off-Premises Retailers (FMB-OFF)** (which, in layman’s terms, equates to a majority of the convenience or grocery stores that have a liquor license in our state licensing system) will automatically convert to a “*Fermented Malt Beverage and Wine Retailer.*”

On March 1, 2023, *Fermented Malt Beverage and Wine Retailers* will have a new privilege to sell vinous liquor in sealed containers. This privilege extends the products sold in these retail spaces to consumers in sealed containers of vinous liquors (including sake, hard cider, and wine) and preserves these retailers’ existing privilege of selling sealed malt beverages (beer) for off-premises consumption.

This privilege **does not** apply to Fermented Malt Beverage On-Premises Retailers or Fermented Malt Beverage On/Off Premises Retailers.

The State Licensing Authority received communications from several industry members, including manufacturers, wholesalers, and FMB Off-Premises Retailers, regarding the implementation and logistics of these new privileges being made available to consumers on March 1, 2023. Due to these shared concerns, the State Licensing Authority determined to meet the voter intent to allow the ordering and distribution of vinous products to **FMB-OFF Premises Retailers** by manufacturers and wholesalers a week prior to March 1, 2023, which will start on Wednesday, February 22, 2023, at 12:00 a.m. so that **FMB-OFF Premises Retailers** may begin sales to consumers on March 1, 2023, at 8 a.m. The Division will investigate and may recommend the State Licensing Authority take administrative action on any FMB-OFF Premises Retailer that sells vinous products to the public before March 1, 2023, at 8 a.m. These FMB-Off Premises Retailers may receive deliveries of vinous products only to a storage area on their licensed premises. These vinous products cannot be placed on the consumer floor until March 1, 2023, at 12:00 a.m. This allowance only applies to Fermented Malt Beverage Off-Premises

Retailers in good standing with the state and local licensing authorities.

A list of FMB-Off Premises Retailers currently in the State Licensing Authority licensing system can be viewed on the LED website by clicking [this link](#). Licensees in good standing will be automatically converted to a Fermented Malt Beverage and Wine Retailer on March 1, 2023, at 12:00 a.m. If you do not see your license on this list, contact us at [dor\\_led@state.co.us](mailto:dor_led@state.co.us) so we can review your matter on a case-by-case basis. When contacting us, please provide your state liquor license number, the name of your business, and its address.

**Virtual Training Dates:**

The Liquor Enforcement Division will be holding two virtual training sessions listed below regarding the Fermented Malt Beverage and Wine Retailer license:

**February 8, 2023, from 10 am to 11 am**

<https://meet.google.com/vkw-ppmq-yub?authuser=0>

Join by phone

(US) +1 254-863-1392 PIN: 254 115 643#

**February 8, 2023, from 1 pm to 2 pm**

<https://meet.google.com/hya-eotr-eeu?authuser=0>

Join by phone

(US) +1 650-597-2806 PIN: 783 527 227#

Please do not hesitate to reach out to LED at [dor\\_led@state.co.us](mailto:dor_led@state.co.us) if you have any questions, issues, or comments.

Thank you,

**Colorado Liquor Enforcement Division**