

## General Instructions

Craft Breweries, Brewpubs, or Micro Breweries are required to submit a monthly excise tax return to the Nebraska Liquor Control Commission – Revenue Division regardless of activity or not.

*Per State Statute 53-164.01 (d) A craft brewery shall, on or before the twenty-fifth day of each calendar month following the month in which the beer was released from bond for sale, submit a report to the commission on forms furnished by the commission showing the total amount of beer in gallons or fractional parts thereof produced for sale by the craft brewery during the preceding calendar month.*

All forms are required to be filled out and submitted correctly every month. Currently there are three forms required for a complete return. They are forms 35-7127, 35-7136, and 35-7137. These forms are filled out for the previous reporting month (ex. May 1 – May 31, reporting in June).

### Form 35-7127

**Line 1:** This is the total gallon amount of beer released from your federally bonded area for the reporting month.

**Line 2:** Tax-Exempt. Any Out-Of-State shipments of your product. Must reconcile with form 35-7136. **ALL INVOICES AND BILL OF LADINGS ARE REQUIRED.**

*Note: If you do not provide all invoice and Bill of Ladings this amount will be taxable and you will be responsible for any extra payments required from the taxable product.*

**Line 3:** Any other or miscellaneous + or - amounts go here. **PROVIDE DOCUMENTATION.**

**Line 4:** The total amount of gallons of the previous 3 lines. Line 1 minus Line 2, +/- Line 3.

**Line 5:** Multiply Line 4 by \$0.31.

**Line 6:** Multiply Line 5 by \$0.01.

**Line 7:** Line 5 minus Line 6.

**Line 8:** Enter in any previous tax adjustments or credits from previous months here.

**Line 9:** Total amount of tax due after your 1% discount and any adjustments or credits.

**Line 10:** The rounded whole dollar amount of Line 9. \$0.49 and below, please round down to the nearest whole dollar. \$0.50 and up, please round up to the nearest whole dollar (ex. \$4.67 > \$5.00, \$4.38 > \$4.00). **THIS IS THE AMOUNT YOU PAY IN PAYPORT.**

### Form 35-7136

-List monthly Out-of-State shipments in this area. This includes all beer sales to Out-of-State Shippers, Manufacturers, etc. Please report in GALLONS (Do not round gallons).

-Attach additional pages as needed.

Additional pages must include all information required on original forms.

-Total all gallons in 'Grand Total'. This is your Line 2 amount on Form 35-7127.

*Note: All invoices and Bill of Ladings are required documentation for Form 35-7136 for you to take the tax exemption. Failure to provide these documents will result in no tax exemption and you will be responsible for any extra taxes due.*

### Form 35-7137

-List monthly Nebraska Wholesale sales in this area. Please report in GALLONS (Do not round gallons).

-Invoices ARE REQUIRED documentation.

-Attach additional pages as needed.

Additional pages must include all information required on original forms.

-Total all gallons in 'Grand Total'.

### Invoices

Must include the following: Invoice date, Invoice number, number of cases, size, product description, and total invoice gallons.

### Due date

All excise tax returns and payments are due by the 25<sup>th</sup> of each month via mail, email or fax.

If the due date falls on a weekend or holiday, returns and payments received the next business day are considered timely.

If reports or payments are deemed late, the 1% discount will not be allowed and you will be assessed a Penalty and Interest charge.

*Note: If mailing reports, they must be postmarked by the 25<sup>th</sup> of the month to be considered on time.*

### Penalties and Interest

Any reports not submitted or postmarked by the 25<sup>th</sup> of every month will be assessed a Penalty and Interest charge.

The 1% discount is not redeemable on late reports or payments.

The following penalties will be assessed on the Gross Tax due: 1 to 5 days late, 3 percent; 6 to 10 days late, 6 percent; and over 10 days late, 10 percent.

In addition, interest on the tax shall be collected at the rate of 1 percent per month, or fraction of a month, from the date the tax became due until paid.

*We will assess any penalty and interest you may accrue.*

### Payment Options

Payport – The most commonly used way to pay Excise Taxes and other fees/costs. <http://www.ne.gov/go/NLCCpayport>

Nebraska.gov – You can become Nebraska.gov subscribers and pay a \$50 annual fee. Please see your Welcome Packet for further Nebraska.gov instructions.

### Additional Information

Cider was classified as a beer as of July 1, 2015 and you must report it as such. 8.5% and up is classified as wine, and 8.4% and below is classified as beer.

If there is no reportable activity for a reporting month, please fill out the forms and submit with zeros.

TTB forms 5000.24, 5130.26 or 5130.9 and a copy of your Year End Inventory are due with your December return.

Any questions or comments regarding these forms can be directed to [nlcc.craftfarmmicrodesk@nebraska.gov](mailto:nlcc.craftfarmmicrodesk@nebraska.gov).

If you do not know the answer or are unsure of something, please call our office. This is to ensure you are submitting correct reports every month and do not have to resubmit forms or resubmit payments.

**Nebraska Liquor Control Commission**  
**402-471-2571**  
**402-471-2814 (FAX)**