

# Home Brewers FAQ

This is a guideline to help determine what a home brewer can and can't do. If your question is not addressed in this guideline please contact us via our website <https://lcc.nebraska.gov/contact-us>

*Neb. Rev. Stat. §53-168.06 No person shall manufacture, bottle, blend, sell, barter, transport, deliver, furnish, or possess any alcoholic liquor for beverage purposes except as specifically provided in the Nebraska Liquor Control Act. Nothing in the act shall prevent (1) the possession of alcoholic liquor legally obtained as provided in the act for the **personal use of the possessor and his or her family and guests**; (2) the making of wine, cider, or other alcoholic liquor by a person from fruits, vegetables, or grains, or the product thereof, by simple fermentation and without distillation, if made solely for the use of the maker and his or her family and guests;*

This statute is clear and unambiguous that home brewers may not serve beer at any event for consumption by the public.

There is one exception to this regulation. If the vendor/event holder has a Special Designated License (SDL) and has requested an exemption to the above statute. In this case the home brew may participate in the event.

Exemptions to an SDL will only be allowed with the following conditions:

- 1) Home brewer is competing in a brew competition
- 2) Home brew is being judged by selected judges; list of judges must be provided
- 3) No sale or exchange of money for product, entry fee is allowed
- 4) A list of Home Brew participants competing must be provided
- 5) Sealed, leftover beer is allowed leave the competition

## **QUESTIONS:**

**What is the position of the Commission regarding home brew donated at festivals?**

*This would not be allowed, unless the vendor of the event has a SDL with waiver of §53-168.06.*

**Can home brewer pour or sample at any festival?**

*No. Home brew is not allowed to be sampled to the public at large, but rather to their friends and family as a "hobby", never for mass public consumption. This prohibition has nothing to do with compensation.*

**Is it okay to have a gathering at a private residence with 40-60 guests, such as a home brews club?**

*Yes.*

**Can a home brewer participate in a brewer's competition?**

*Yes, as long as the vendor of the event has a SDL with waiver of §53-168.06*

**Competition is defined as:**

*Competing beers are judged against one another and against a standard set by qualified judges. Prizes are allowed.*

**Can I charge for my home brewed beer?**

*No; the selling of beer is allowed only by a holder of brewpub license.*

**Can I advertise my home brew on social media? Example; Facebook, Instagram, twitter, etc.**

*No, advertising the SALE OF BEER is not allowed without a liquor license. You should not present yourself as being a licensed brewer. Nothing would prohibit you from discussing your beer with other home brewers.*

**At what point does a home brewer become defined as a craft brewer?**

*When the applicant has received the appropriate TTB Brewers Notice.*

**I have my TTB (Federal Permit) can I pour/sample my beer?**

*No. You must wait for the liquor license to be issued from NLCC.*