



Legislative Bodies Relevant to Micro-Distillery in Alberta

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This document briefly outlines some of the legislative bodies who are involved in the regulation and enforcement of laws concerning Distilleries in Alberta.

Below is a list of the legislative bodies most relevant to distilling in Alberta:

- Authority Having Jurisdiction in the Building Discipline (often referred to as the Building Department)
- Fire Department
- Alberta Health Services (AHS)
- Alberta Gaming, Liquor, and Cannabis (AGLC)
- Excise (Federal)

Building Department:

The building department of a municipality or county in Alberta has the authority to require that any new construction or renovation meets or exceeds the requirements of the National Building Code and National Fire Code (Alberta Edition). With this authority they review and issue building permits, and complete inspections of the construction. They monitor code compliance up until a building is occupied, and it is ultimately up to designers, contractors and owners of a distillery to ensure the codes are complied with.

After construction has occurred and all necessary construction inspections have been approved, the building department will provide an occupancy permit before the building can be occupied. AHS and the fire department are also involved in the process in order to acquire a business license.

Fire Department:

The fire department has the authority to ensure that the requirements of the Alberta Fire Code are met before and after the building is occupied.

The fire department complete two inspections during the construction – Occupant Load and Egress. During operation, the fire department may perform random inspections, as well as scheduled yearly inspections.

Alberta Health Services (AHS):

In the capacity relating to distilleries, Alberta Health Services has the responsibility to ensure proper food handling in any capacity required. If a distillery has a tasting room, this may include a review of the building permit plans, and an inspection before providing a Food Handling Permit. AHS will also perform regular inspections without notice to ensure any food handling procedures are being followed.

“The Environmental Public Health Program enforces Alberta’s Public Health Act (RSA Chapter P-37), including many regulations like the Food Regulation (A.R. 31/2006) and the Housing Regulation (A.R. 173/99).”

AGLC:

The AGLC regulates alcohol production and sale within the province of Alberta. A license to manufacture alcohol from the AGLC is required to operate a distillery in Alberta. The license can be received after an application, fee payment, a business license has been approved, and the occupant load provided. The AGLC completes a final premises inspection before issuing any licenses.

The AGLC has the right to “full and unrestricted” access to your premises during all business hours. You must comply with their inspections and audits.

The AGLC collects the provincial ‘mark up’, recycling fee, and bottle deposit. This is done so that any purchases of alcohol from another licensee goes to the AGLC, and the AGLC will then reimburse you the value of the purchase minus the tax owed to them.

Excise:

The federal Excise Act of 2001 regulates the production and sale of all alcohol products in Canada, including the imposed “excise duty” paid on all spirits produced. Excise duty are paid by the manufacturer on a monthly basis through the CRA.

A federal “spirits licence” is required to operate a distillery in Canada. Issuance will occur in tandem with the AGLC license, requiring many of the same conditions.

During operation an excise inspector has unrestricted access to your premises during reasonable hours, however, excise officers typically give 24 hours notice before entering a premise.