

Revenue Information Bulletin No. 22-018
September 14, 2022
Excise Tax

Notification of Reporting Requirements for Self-Distribution or Transfer Through Wholesaler by Certain Brewers and Microbrewers
Effective August 1, 2022

Act 467 of the 2022 Regular Session of the Louisiana Legislature amended La. R.S. 26:359(A) and enacted La. R.S. 26:241(27) through (29), 242, 243, and 271(A)(7) to provide for the distribution of beer and other malt beverages (“product”) by certain brewers. Act 550 amended and reenacted La. R.S. 26:271.1(A) to provide for distribution by microbrewers of their manufactured beverages. The tax implication of each transaction provided for in these Acts is detailed below.

Act 467 Self-Distribution to a Wholly Owned Secondary Location

Brewers who meet the requirements enumerated in Act 467 may self-distribute to a wholly owned secondary location located in Louisiana if this location also meets the specific requirements of Act 467. The brewer who self-distributes to a wholly owned secondary location is responsible for the excise taxes on product the brewer self-distributes. The recipient of such transfer is responsible for the parish or municipal excise taxes on these products sold to the public.

Act 467 Self-Distribution to a Retailer

Brewers who meet the requirements enumerated in Act 467 may self-distribute to retailers if they also meet specific requirements of Act 467. Act 467 made no changes to the existing reporting and remittance requirements for the taxes on these transactions. The brewer who distributes using this method is responsible for all state and local excise taxes.

Act 467 Distribution to a Wholly Owned Secondary Location through a Wholesaler

If a brewer who meets the requirements of Act 467 transfers alcoholic beverages through a wholesaler as provided for in the Act, the receiving brewing facility is responsible for remitting all state and parish or municipal excise taxes to the proper tax collecting authority for all products received and sold to the public.

Act 550 Distribution to a Wholly Owned Microbrewery through a Wholesaler

A microbrewery may transfer alcoholic beverages to a wholly owned microbrewery through a wholesaler assuming all parties meet the requirements set forth in Act 550. There is no change to current law regarding the reporting and remittance requirements of tax on these

transactions. A microbrewer who transfers product using this method is responsible for all state and local excise taxes on the transferred manufactured beverages.

How to Report

The state and local excise tax on product self-distributed or transferred through a wholesaler must be reported on Form R-5621, *Louisiana State and Parish and Municipality Beer Tax Return*. The brewer or microbrewer transferring product must detail the transactions on the State and Parish Municipality Beer Tax Schedule for Transferred Products (R-5621T) and the recipient of the product must detail the transactions on the State and Parish Municipality Beer Tax Schedule for Received Products (R-5621R). The R-5621T and R-5621R must be uploaded to LaTAP when filing the R-5621.

Questions concerning the return and schedules should be directed to the Louisiana Department of Revenue's Taxpayer Compliance-Sales, Severance, Excise and Withholding Tax Unit at 855-307-3893, option 2, then 1.

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Secretary