



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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### MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: November 2, 2024

FROM: Kristina Serezhenkov, Regulations  
Specialist

RE: Non-denatured Alcohol, Uses,  
Application, Fees

The board approved the draft regulations for initial Law review at the June 2024 meeting. The Department of Law returned the draft 9.25.24 for board reconsideration.

Options for the board:

- Move to amend and adopt and then send to Law for final review. (agency attny to advise)
- Move to send back to staff for more work
- Table the regulations project
- Close the regulations project

Register \_\_\_\_\_, \_\_\_\_\_ 2024 COMMERCE, COMMUNITY, AND EC. DEV.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

3 AAC 305.165 is amended by adding a new paragraph to read:

(12) \$100 for an authorization to obtain non-denatured alcohol. (Eff. 1/1/2024,

Register 248; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

<b>Authority:</b>	AS 04.06.005	AS 04.11.050	AS 04.11.480
	AS 04.06.090	AS 04.11.055	AS 04.11.510
	AS 04.06.100	AS 04.11.330	AS 04.21.060
	AS 04.11.045		

3 AAC 305 is amended by adding a new section to read:

**3 AAC 305.240. Authorization to obtain non-denatured alcohol.** (a) A person without a distillery manufacturer license issued under AS 04.09.040 may not manufacture non-denatured alcohol but may apply for an authorization to obtain non-denatured alcohol from a distillery manufacturer licensed under AS 04.09.040 as set out in this section. A distillery manufacturer licensed under AS 04.09.040 may hold an authorization to obtain non-denatured alcohol. The authorization permits its holder to

(1) acquire 80 to 200 proof non-denatured alcohol from a distillery licensed under AS 04.09.040; and

(2) use 80 to 200 proof non-denatured alcohol for the following purposes:

(A) scientific;

(B) pharmaceutical;

(C) manufacturing;

(D) mechanical; or

(E) industrial.

(b) An applicant for an authorization to obtain non-denatured alcohol shall apply in writing using the application form approved by the board. The director may approve the issuance of an authorization once the office receives a complete application. The director may refuse to issue an authorization to obtain non-denatured alcohol, and may cancel or revoke the authorization, if the person

(1) makes a false statement to the board;

(2) uses or proposes to use the non-denatured alcohol other than for purposes set out under 305.240(a)(2); or

(3) for other good cause as determined by the director.

(c) A person holding an authorization to obtain non-denatured alcohol shall keep a record of all non-denatured alcohol obtained from a distillery manufacturer licensed under AS 04.09.040. The record must include the date and amount of all non-denatured alcohol acquired. The record must be kept for two years from the date of acquisition of the non-denatured alcohol. The authorization holder shall allow the board to audit the authorization holder's records upon request and shall make those records available to the board's main office not later than 14 days after the board's request and not later than 60 days after the board's written notice.

(d) For purposes of this section, non-denatured alcohol means food-grade ethanol intended for human consumption, but excludes alcoholic beverages as defined at AS 04.21.080(b). (Eff. \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 04.06.005      AS 04.06.100      AS 04.09.040  
AS 04.06.090