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Department of the State Treasurer
Alcoholic Beverages Control Commission
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**ALCOHOLIC BEVERAGES CONTROL COMMISSION (“ABCC”) ADVISORY
REGARDING POWDERED ALCOHOL**

On March 10, 2015, the Alcohol and Tobacco Tax and Trade Bureau (“TTB”) approved the sale of four powdered alcohol products. Please be advised that M.G.L. c. 138 prohibits the importation, sale, and manufacturing of powdered alcohol.

M.G.L. c. 138, §1, defines an alcoholic beverage as “any liquid intended for human consumption as a beverage and containing one half of one percent or more of alcohol by volume at sixty degrees Fahrenheit.” Therefore, powdered alcohol is not an alcoholic beverage.¹ Licenses issued under M.G.L. c. 138, including wholesalers and importers under §18, agents and brokers under §18A, holders of certificates of compliance under §18B, manufacturers under §19, and retailers under §12 and §15, are authorized to sell, manufacture, or import “alcoholic beverages.” Because powdered alcohol is not an alcoholic beverage, these licensees are prohibited from importing, selling, or manufacturing powdered alcohol. Any such action is a violation of M.G.L. c. 138, §2 and §64.

As a reminder, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts and that sale of alcoholic beverages take place only as authorized by applicable law. Questions concerning this Advisory can be directed to Ralph Sacramone, Executive Director of the Massachusetts Alcoholic Beverages Control Commission at (617) 727-3040 x 731.

(Issued March 12, 2015)

¹ Powdered alcohol is, however, alcohol, which is defined as “all alcohol other than denatured alcohol or [methyl alcohol or wood oil].” M.G.L. c. 138, §1. Such alcohol is regulated by the Liquor Control Act under M.G.L. c. 138, §2 (“No person shall manufacture, with intent to sell, sell, or expose or keep for sale, store, transport, import, or export alcoholic beverages or alcohol, except as authorized by” c. 138).