

## **Part 4**

### **Industrial or Manufacturing Use Permit**

#### **32B-10-401 Title.**

This part is known as "Industrial or Manufacturing Use Permit."

Enacted by Chapter 276, 2010 General Session

#### **32B-10-402 Definitions.**

Reserved

Enacted by Chapter 276, 2010 General Session

#### **32B-10-403 Specific application requirements for industrial or manufacturing use permit.**

- (1) To obtain an industrial or manufacturing use permit, in addition to complying with Section 32B-10-202, a person shall submit to the department:
  - (a) a floor plan of the immediate area within the premises in which the person proposes that an alcoholic product be used, mixed, stored, sold, offered for sale, furnished, or consumed; and
  - (b) if the person is applying for an industrial or manufacturing use permit to produce gasohol or any alcoholic product, evidence that the person has:
    - (i) an approved Notice of Registration of Distilled Spirits Plant; and
    - (ii) the appropriate permit from the federal Alcohol and Tobacco Tax and Trade Bureau.
- (2)
  - (a) The nonrefundable application fee for an industrial or manufacturing use permit is \$75.
  - (b) The one-time special use permit fee for an industrial or manufacturing use permit is \$250.
  - (c) The bond amount required for an industrial or manufacturing use permit is the penal sum of \$1,000.

Amended by Chapter 334, 2011 General Session

#### **32B-10-404 Specific operational requirements for industrial or manufacturing use permit.**

- (1)
  - (a) In addition to complying with Section 32B-10-206, an industrial or manufacturing use permittee and staff of the industrial or manufacturing use permittee shall comply with this section.
  - (b) Failure to comply as provided in Subsection (1)(a) may result in disciplinary action in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:
    - (i) an industrial or manufacturing use permittee;
    - (ii) individual staff of an industrial or manufacturing use permittee; or
    - (iii) an industrial or manufacturing use permittee and staff of the industrial or manufacturing use permittee.
- (2) An industrial or manufacturing use permittee may produce for lawful use and sale the following:
  - (a) vinegar;
  - (b) preserved nonintoxicating cider;
  - (c) a food preparation;
  - (d) a United States Pharmacopoeia or national formulary preparation in conformity with Title 58, Chapter 17b, Pharmacy Practice Act, Chapter 37, Utah Controlled Substances Act, Chapter

37a, Utah Drug Paraphernalia Act, Chapter 37b, Imitation Controlled Substances Act, and Chapter 37c, Utah Controlled Substance Precursor Act, if the preparation:

- (i) conforms to standards established by:
    - (A) the Department of Agriculture and Food; and
    - (B) the Department of Health; and
  - (ii) contains no more alcohol than is necessary to preserve or extract the medicinal, flavoring, or perfumed properties of the treated substances; and
  - (e) wood and denatured alcohol if manufactured in compliance with the formulas and regulations under Title 27, C.F.R. Parts 19, 20, and 21.
- (3)
- (a) An industrial or manufacturing use permittee that produces patent or proprietary medicines containing alcohol may sell or offer for sale the medicines in the original and unbroken container if the medicine contains sufficient medication to prevent its use as an alcoholic product.
  - (b) An industrial or manufacturing use permittee described in this Subsection (3) shall, upon request by the department, provide a sufficient sample of the medicine to enable the department to have the medicine analyzed for purposes of this section.

Amended by Chapter 307, 2011 General Session

Amended by Chapter 334, 2011 General Session