

ASSEMBLY, No. 2230

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Changes certain requirements for limited brewery licenses.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning limited brewery licenses and amending
2 R.S.33:1-10.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. R.S.33:1-10 is amended to read as follows:

8 33:1-10. Class A licenses shall be subdivided and classified as
9 follows:

10 Plenary brewery license. 1a. The holder of this license shall be
11 entitled, subject to rules and regulations, to brew any malt alcoholic
12 beverages and to sell and distribute his products to wholesalers and
13 retailers licensed in accordance with this chapter, and to sell and
14 distribute without this State to any persons pursuant to the laws of
15 the places of such sale and distribution, and to maintain a
16 warehouse; provided, however, that the delivery of this product by
17 the holder of this license to retailers licensed under this title shall be
18 from inventory in a warehouse located in this State which is
19 operated under a plenary brewery license. The fee for this license
20 shall be \$10,625.

21 Limited brewery license. 1b. The holder of this license shall be
22 entitled, subject to rules and regulations, to brew any malt alcoholic
23 beverages in a quantity to be expressed in said license, dependent
24 upon the following fees and not in excess of 300,000 barrels of 31
25 fluid gallons capacity per year and to sell and distribute this product
26 to wholesalers and retailers licensed in accordance with this
27 chapter, and to sell and distribute without this State to any persons
28 pursuant to the laws of the places of such sale and distribution, and
29 to maintain a warehouse; provided, however, that the delivery of
30 this product by the holder of this license to retailers licensed under
31 this title shall be from inventory in a warehouse located in this State
32 which is operated under a limited brewery license. The holder of
33 this license shall be entitled to sell this product at retail to
34 consumers on the licensed premises of the brewery for consumption
35 on the premises **【**, but only in connection with a tour of the
36 brewery,**】** or for consumption off the premises in a quantity of not
37 more than 15.5 fluid gallons per person, and to offer samples for
38 sampling purposes only pursuant to an annual permit issued by the
39 director. The holder of this license may offer, or offer for sale,
40 packaged crackers, chips, nuts, and similar snacks but shall not
41 **【sell food or】** operate a restaurant on the licensed premises. The
42 holder of this license shall make information about the brewery and
43 brewing process available to consumers and shall offer consumers a
44 tour of the brewery, either at a regularly scheduled date and time or
45 upon request, and shall prominently display a sign concerning the

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

A2230 DANCER

1 availability of tours. The fee for this license shall be graduated as
2 follows:

3 to so brew not more than 50,000 barrels of 31 liquid gallons
4 capacity per annum, \$1,250;

5 to so brew not more than 100,000 barrels of 31 fluid gallons
6 capacity per annum, \$2,500;

7 to so brew not more than 200,000 barrels of 31 fluid gallons
8 capacity per annum, \$5,000;

9 to so brew not more than 300,000 barrels of 31 fluid gallons
10 capacity per annum, \$7,500.

11 For the purposes of this subsection, "sampling" means the selling
12 at a nominal charge or the gratuitous offering of an open container
13 not exceeding four ounces of any malt alcoholic beverage. For the
14 purposes of this subsection, "product" means any malt alcoholic
15 beverage that is produced on the premises licensed under this
16 subsection.

17 Restricted brewery license. 1c. The holder of this license shall be
18 entitled, subject to rules and regulations, to brew any malt alcoholic
19 beverages in a quantity to be expressed in such license not in excess
20 of 10,000 barrels of 31 gallons capacity per year. Notwithstanding
21 the provisions of R.S.33:1-26, the director shall issue a restricted
22 brewery license only to a person or an entity which has identical
23 ownership to an entity which holds a plenary retail consumption
24 license issued pursuant to R.S.33:1-12, provided that such plenary
25 retail consumption license is operated in conjunction with a
26 restaurant regularly and principally used for the purpose of
27 providing meals to its customers and having adequate kitchen and
28 dining room facilities, and that the licensed restaurant premises is
29 immediately adjoining the premises licensed under this subsection.
30 The holder of this license shall be entitled to sell or deliver the
31 product to that restaurant premises. The holder of this license also
32 shall be entitled to sell and distribute the product to wholesalers
33 licensed in accordance with this chapter. The fee for this license
34 shall be \$1,250, which fee shall entitle the holder to brew up to
35 1,000 barrels of 31 liquid gallons per annum. The licensee also shall
36 pay an additional \$250 for every additional 1,000 barrels of 31 fluid
37 gallons produced. The fee shall be paid at the time of application
38 for the license, and additional payments based on barrels produced
39 shall be paid within 60 days following the expiration of the license
40 term upon certification by the licensee of the actual gallons brewed
41 during the license term. No more than 10 restricted brewery
42 licenses shall be issued to a person or entity which holds an interest
43 in a plenary retail consumption license. If the governing body of the
44 municipality in which the licensed premises will be located should
45 file a written objection, the director shall hold a hearing and may
46 issue the license only if the director finds that the issuance of the
47 license will not be contrary to the public interest. All fees related to
48 the issuance of both licenses shall be paid in accordance with

A2230 DANCER

1 statutory law. The provisions of this subsection shall not be
2 construed to limit or restrict the rights and privileges granted by the
3 plenary retail consumption license held by the holder of the
4 restricted brewery license issued pursuant to this subsection.

5 The holder of this license shall be entitled to offer samples of its
6 product for promotional purposes at charitable or civic events off
7 the licensed premises pursuant to an annual permit issued by the
8 director.

9 For the purposes of this subsection, "sampling" means the selling
10 at a nominal charge or the gratuitous offering of an open container
11 not exceeding four ounces of any malt alcoholic beverage product.
12 For the purposes of this subsection, "product" means any malt
13 alcoholic beverage that is produced on the premises licensed under
14 this subsection.

15 Plenary winery license. 2a. Provided that the holder is engaged
16 in growing and cultivating grapes or fruit used in the production of
17 wine on at least three acres on, or adjacent to, the winery premises,
18 the holder of this license shall be entitled, subject to rules and
19 regulations, to produce any fermented wines, and to blend, fortify
20 and treat wines, and to sell and distribute his products to
21 wholesalers licensed in accordance with this chapter and to
22 churches for religious purposes, and to sell and distribute without
23 this State to any persons pursuant to the laws of the places of such
24 sale and distribution, and to maintain a warehouse, and to sell his
25 products at retail to consumers on the licensed premises of the
26 winery for consumption on or off the premises and to offer samples
27 for sampling purposes only. The fee for this license shall be \$938.
28 A holder of this license who produces not more than 250,000
29 gallons per year shall also have the right to sell and distribute his
30 products to retailers licensed in accordance with this chapter, except
31 that the holder of this license shall not use a common carrier for
32 such distribution. The fee for this additional privilege shall be
33 graduated as follows: a licensee who manufactures more than
34 150,000 gallons, but not in excess of 250,000 gallons per annum,
35 \$1,000; a licensee who manufactures more than 100,000 gallons,
36 but not in excess of 150,000 gallons per annum, \$500; a licensee
37 who manufactures more than 50,000 gallons, but not in excess of
38 100,000 gallons per annum, \$250; a licensee who manufactures
39 50,000 gallons or less per annum, \$100. A holder of this license
40 who produces not more than 250,000 gallons per year shall have the
41 right to sell such wine at retail in original packages in 15
42 salesrooms apart from the winery premises for consumption on or
43 off the premises and for sampling purposes for consumption on the
44 premises, at a fee of \$250 for each salesroom. Licensees shall not
45 jointly control and operate salesrooms. Additionally, the holder of
46 this license who produces not more than 250,000 gallons per year
47 may ship not more than 12 cases of wine per year, subject to
48 regulation, to any person within or without this State over 21 years

1 of age for personal consumption and not for resale. A case of wine
2 shall not exceed a maximum of nine liters. A copy of the original
3 invoice shall be available for inspection by persons authorized to
4 enforce the alcoholic beverage laws of this State for a minimum
5 period of three years at the licensed premises of the winery. For the
6 purposes of this subsection, "sampling" means the selling at a
7 nominal charge or the gratuitous offering of an open container not
8 exceeding one and one-half ounces of any wine.

9 A holder of this license who produces not more than 250,000
10 gallons per year shall not own, either in whole or in part, or hold,
11 either directly or indirectly, any interest in a winery that produces
12 more than 250,000 gallons per year. In addition, a holder of this
13 license who produces more than 250,000 gallons per year shall not
14 own, either in whole or in part, or hold, either directly or indirectly,
15 any interest in a winery that produces not more than 250,000
16 gallons per year. For the purposes of this subsection, "product"
17 means any wine that is produced, blended, fortified, or treated by
18 the licensee on its licensed premises situated in the State of New
19 Jersey. For the purposes of this subsection, "wine" shall include
20 "hard cider" and "mead" as defined in this section.

21 Farm winery license. 2b. The holder of this license shall be
22 entitled, subject to rules and regulations, to manufacture any
23 fermented wines and fruit juices in a quantity to be expressed in
24 said license, dependent upon the following fees and not in excess of
25 50,000 gallons per year and to sell and distribute his products to
26 wholesalers and retailers licensed in accordance with this chapter
27 and to churches for religious purposes and to sell and distribute
28 without this State to any persons pursuant to the laws of the places
29 of such sale and distribution, and to maintain a warehouse and to
30 sell at retail to consumers for consumption on or off the licensed
31 premises and to offer samples for sampling purposes only. The
32 license shall be issued only when the winery at which such
33 fermented wines and fruit juices are manufactured is located and
34 constructed upon a tract of land exclusively under the control of the
35 licensee, provided that the licensee is actively engaged in growing
36 and cultivating an area of not less than three acres on or adjacent to
37 the winery premises and on which are growing grape vines or fruit
38 to be processed into wine or fruit juice; and provided, further, that
39 for the first five years of the operation of the winery such fermented
40 wines and fruit juices shall be manufactured from at least 51
41 percent grapes or fruit grown in the State and that thereafter they
42 shall be manufactured from grapes or fruit grown in this State at
43 least to the extent required for labeling as "New Jersey Wine" under
44 the applicable federal laws and regulations. The containers of all
45 wine sold to consumers by such licensee shall have affixed a label
46 stating such information as shall be required by the rules and
47 regulations of the Director of the Division of Alcoholic Beverage
48 Control. The fee for this license shall be graduated as follows: to so

1 manufacture between 30,000 and 50,000 gallons per annum, \$375;
2 to so manufacture between 2,500 and 30,000 gallons per annum,
3 \$250; to so manufacture between 1,000 and 2,500 gallons per
4 annum, \$125; to so manufacture less than 1,000 gallons per annum,
5 \$63. No farm winery license shall be held by the holder of a plenary
6 winery license or be situated on a premises licensed as a plenary
7 winery.

8 The holder of this license shall also have the right to sell and
9 distribute his products to retailers licensed in accordance with this
10 chapter, except that the holder of this license shall not use a
11 common carrier for such distribution. The fee for this additional
12 privilege shall be \$100. The holder of this license shall have the
13 right to sell his products in original packages at retail to consumers
14 in 15 salesrooms apart from the winery premises for consumption
15 on or off the premises, and for sampling purposes for consumption
16 on the premises, at a fee of \$250 for each salesroom. Licensees
17 shall not jointly control and operate salesrooms. Additionally, the
18 holder of this license may ship not more than 12 cases of wine per
19 year, subject to regulation, to any person within or without this
20 State over 21 years of age for personal consumption and not for
21 resale. A case of wine shall not exceed a maximum of nine liters. A
22 copy of the original invoice shall be available for inspection by
23 persons authorized to enforce the alcoholic beverage laws of this
24 State for a minimum period of three years at the licensed premises
25 of the winery. For the purposes of this subsection, "sampling"
26 means the selling at a nominal charge or the gratuitous offering of
27 an open container not exceeding one and one-half ounces of any
28 wine.

29 A holder of this license who produces not more than 250,000
30 gallons per year shall not own, either in whole or in part, or hold,
31 either directly or indirectly, any interest in a winery that produces
32 more than 250,000 gallons per year.

33 Unless otherwise indicated, for the purposes of this subsection,
34 with respect to farm winery licenses, "manufacture" means the
35 vinification, aging, storage, blending, clarification, stabilization and
36 bottling of wine or juice from New Jersey fruit to the extent
37 required by this subsection.

38 For the purposes of this subsection, "wine" shall include "hard
39 cider" and "mead" as defined in this section.

40 Wine blending license. 2c. The holder of this license shall be
41 entitled, subject to rules and regulations, to blend, treat, mix, and
42 bottle fermented wines and fruit juices with non-alcoholic
43 beverages, and to sell and distribute his products to wholesalers and
44 retailers licensed in accordance with this chapter, and to sell and
45 distribute without this State to any persons pursuant to the laws of
46 the places of such sale and distribution, and to maintain a
47 warehouse. The fee for this license shall be \$625.

1 For the purposes of this subsection, "wine" shall include "hard
2 cider" and "mead" as defined in this section.

3 Instructional winemaking facility license. 2d. The holder of this
4 license shall be entitled, subject to rules and regulations, to instruct
5 persons in and provide them with the opportunity to participate
6 directly in the process of winemaking and to directly assist such
7 persons in the process of winemaking while in the process of
8 instruction on the premises of the facility. The holder of this
9 license also shall be entitled to manufacture wine on the premises
10 not in excess of an amount of 10 percent of the wine produced
11 annually on the premises of the facility, which shall be used only to
12 replace quantities lost or discarded during the winemaking process,
13 to maintain a warehouse, and to offer samples produced by persons
14 who have received instruction in winemaking on the premises by
15 the licensee for sampling purposes only on the licensed premises for
16 the purpose of promoting winemaking for personal or household use
17 or consumption. Wine produced on the premises of an instructional
18 winemaking facility shall be used, consumed or disposed of on the
19 facility's premises or distributed from the facility's premises to a
20 person who has participated directly in the process of winemaking
21 for the person's personal or household use or consumption. The
22 holder of this license may sell mercantile items traditionally
23 associated with winemaking and novelty wearing apparel identified
24 with the name of the establishment licensed under the provisions of
25 this section. The holder of this license may use the licensed
26 premises for an event or affair, including an event or affair at which
27 a plenary retail consumption licensee serves alcoholic beverages in
28 compliance with all applicable statutes and regulations promulgated
29 by the director. The fee for this license shall be \$1,000. For the
30 purposes of this subsection, "sampling" means the gratuitous
31 offering of an open container not exceeding one and one-half
32 ounces of any wine.

33 For the purposes of this subsection, "wine" shall include "hard
34 cider" and "mead" as defined in this section.

35 Out-of-State winery license. 2e. Provided that the applicant
36 does not produce more than 250,000 gallons of wine per year, the
37 holder of a valid winery license issued in any other state may make
38 application to the director for this license. The holder of this license
39 shall have the right to sell and distribute his products to wholesalers
40 licensed in accordance with this chapter and to sell such wine at
41 retail in original packages in 16 salesrooms apart from the winery
42 premises for consumption on or off the premises at a fee of \$250 for
43 each salesroom. Licensees shall not jointly control and operate
44 salesrooms. The annual fee for this license shall be \$938. A copy
45 of a current license issued by another state shall accompany the
46 application. The holder of this license also shall have the right to
47 sell and distribute his products to retailers licensed in accordance
48 with this chapter, except that the holder of this license shall not use

1 a common carrier for such distribution. The fee for this additional
2 privilege shall be graduated as follows: a licensee who
3 manufactures more than 150,000 gallons, but not in excess of
4 250,000 gallons per annum, \$1,000; a licensee who manufactures
5 more than 100,000 gallons, but not in excess of 150,000 gallons per
6 annum, \$500; a licensee who manufactures more than 50,000
7 gallons, but not in excess of 100,000 gallons per annum, \$250; a
8 licensee who manufactures 50,000 gallons or less per annum, \$100.
9 Additionally, the holder of this license may ship not more than 12
10 cases of wine per year, subject to regulation, to any person within or
11 without this State over 21 years of age for personal consumption
12 and not for resale. A case of wine shall not exceed a maximum of
13 nine liters. A copy of the original invoice shall be available for
14 inspection by persons authorized to enforce the alcoholic beverage
15 laws of this State for a minimum period of three years at the
16 licensed premises of the winery.

17 The licensee shall collect from the customer the tax due on the
18 sale pursuant to the "Sales and Use Tax Act," P.L.1966, c.30
19 (C.54:32B-1 et seq.) and shall pay the tax due on the delivery of
20 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"
21 R.S.54:41-1 et seq. The Director of the Division of Taxation in the
22 Department of the Treasury shall promulgate such rules and
23 regulations necessary to effectuate the provisions of this paragraph,
24 and may provide by regulation for the co-administration of the tax
25 due on the delivery of alcoholic beverages pursuant to the
26 "Alcoholic beverage tax law," R.S.54:41-1 et seq. with the
27 administration of the tax due on the sale pursuant to the "Sales and
28 Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).

29 A holder of this license who produces not more than 250,000
30 gallons per year shall not own, either in whole or in part, or hold,
31 either directly or indirectly, any interest in a winery that produces
32 more than 250,000 gallons per year.

33 For the purposes of this subsection, "wine" shall include "hard
34 cider" and "mead" as defined in this section.

35 Cidery and meadery license. 2f. The holder of this license shall
36 be entitled, subject to rules and regulations, to manufacture hard
37 cider and mead and to sell and distribute these products to
38 wholesalers and retailers licensed in accordance with this chapter,
39 and to sell and distribute without this State to any persons pursuant
40 to the laws of the places of such sale and distribution, and to
41 maintain a warehouse. The holder of this license shall be entitled to
42 sell these products at retail to consumers on the licensed premises
43 for consumption on or off the premises and to offer samples for
44 sampling purposes only. The holder of this license shall be
45 permitted to offer for sale or make the gratuitous offering of
46 packaged crackers, chips, nuts, and similar snacks to consumers, but
47 shall not operate a restaurant on the licensed premises. The fee for
48 this license shall be \$938.

1 The holder of this license shall be entitled to manufacture hard
2 cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons
3 capacity per year. With respect to the sale and distribution of hard
4 cider to a wholesaler, the licensee shall be subject to the same
5 statutory and regulatory requirements as a brewer, and hard cider
6 shall be considered a malt alcoholic beverage, for the purposes of
7 the "Malt Alcoholic Beverage Practices Act," P.L.2005, c.243
8 (C.33:1-93.12 et seq.). The holder of this license shall not directly
9 ship hard cider either within or without this State.

10 The holder of this license shall be entitled to manufacture not
11 more than 250,000 gallons of mead per year. The holder of this
12 license may ship not more than 12 cases of mead per year, subject
13 to regulation, to any person within or without this State over 21
14 years of age for personal consumption and not for resale. A case of
15 mead shall not exceed a maximum of nine liters. A copy of the
16 original invoice shall be available for inspection by persons
17 authorized to enforce the alcoholic beverage laws of this State for a
18 minimum period of three years at the licensed premises. As used in
19 this subsection:

20 "Hard cider" means a fermented alcoholic beverage derived
21 primarily from apples, pears, apple juice concentrate and water, or
22 pear juice concentrate and water, which may include spices, herbs,
23 honey, or other flavoring, and which contains at least one half of
24 one percent but less than eight and one half percent alcohol by
25 volume.

26 "Mead" means an alcoholic beverage primarily made from
27 honey, water, and yeast, and which may contain fruit, fruit juices,
28 spices, or herbs added before or after fermentation has completed,
29 except that the ratio of fermentable sugars from fruit or fruit juices
30 shall not exceed 49 percent of the total fermentable sugars used to
31 produce mead.

32 "Sampling" means the selling at a nominal charge or the
33 gratuitous offering of an open container not exceeding four ounces
34 of hard cider or mead produced on the licensed premises.

35 Plenary distillery license. 3a. The holder of this license shall
36 be entitled, subject to rules and regulations, to manufacture any
37 distilled alcoholic beverages and rectify, blend, treat and mix, and
38 to sell and distribute his products to wholesalers and retailers
39 licensed in accordance with this chapter, and to sell and distribute
40 without this State to any persons pursuant to the laws of the places
41 of such sale and distribution, and to maintain a warehouse. The fee
42 for this license shall be \$12,500.

43 Limited distillery license. 3b. The holder of this license shall
44 be entitled, subject to rules and regulations, to manufacture and
45 bottle any alcoholic beverages distilled from fruit juices and rectify,
46 blend, treat, mix, compound with wine and add necessary
47 sweetening and flavor to make cordial or liqueur, and to sell and
48 distribute to wholesalers and retailers licensed in accordance with

1 this chapter, and to sell and distribute without this State to any
2 persons pursuant to the laws of the places of such sale and
3 distribution and to warehouse these products. The fee for this
4 license shall be \$3,750.

5 Supplementary limited distillery license. 3c. The holder of this
6 license shall be entitled, subject to rules and regulations, to bottle
7 and rebottle, in a quantity to be expressed in said license, dependent
8 upon the following fees, alcoholic beverages distilled from fruit
9 juices by such holder pursuant to a prior plenary or limited distillery
10 license, and to sell and distribute his products to wholesalers and
11 retailers licensed in accordance with this chapter, and to sell and
12 distribute without this State to any persons pursuant to the laws of
13 the places of such sale and distribution, and to maintain a
14 warehouse. The fee for this license shall be graduated as follows:
15 to so bottle and rebottle not more than 5,000 wine gallons per
16 annum, \$313; to so bottle and rebottle not more than 10,000 wine
17 gallons per annum, \$625; to so bottle and rebottle without limit as
18 to amount, \$1,250.

19 Craft distillery license. 3d. The holder of this license shall be
20 entitled, subject to rules and regulations, to manufacture not more
21 than 20,000 gallons of distilled alcoholic beverages, to rectify,
22 blend, treat and mix distilled alcoholic beverages, to sell and
23 distribute this product to wholesalers and retailers licensed in
24 accordance with this chapter, and to sell and distribute without this
25 State to any persons pursuant to the laws of the places of such sale
26 and distribution, and to maintain a warehouse. The holder of this
27 license shall be entitled to sell this product at retail to consumers on
28 the licensed premises of the distillery for consumption on the
29 premises, but only in connection with a tour of the distillery, and
30 for consumption off the premises in a quantity of not more than five
31 liters per person. In addition, the holder of this license may offer
32 any person not more than three samples per calendar day for
33 sampling purposes only. For the purposes of this subsection,
34 "sampling" means the gratuitous offering of an open container not
35 exceeding one-half ounce serving of distilled alcoholic beverage
36 produced on the distillery premises. Nothing in this subsection shall
37 be deemed to permit the direct shipment of distilled spirits either
38 within or without this State.

39 The holder of this license shall not sell food or operate a
40 restaurant on the licensed premises. A holder of this license who
41 certifies that not less than 51 percent of the raw materials used in
42 the production of distilled alcoholic beverages under this section are
43 grown in this State or purchased from providers located in this State
44 may, consistent with all applicable federal laws and regulations,
45 label these distilled alcoholic beverages as "New Jersey Distilled."
46 The fee for this license shall be \$938.

47 Rectifier and blender license. 4. The holder of this license shall
48 be entitled, subject to rules and regulations, to rectify, blend, treat

1 and mix distilled alcoholic beverages, and to fortify, blend, and
2 treat fermented alcoholic beverages, and prepare mixtures of
3 alcoholic beverages, and to sell and distribute his products to
4 wholesalers and retailers licensed in accordance with this chapter,
5 and to sell and distribute without this State to any persons pursuant
6 to the laws of the places of such sale and distribution, and to
7 maintain a warehouse. The fee for this license shall be \$7,500.

8 Bonded warehouse bottling license. 5. The holder of this license
9 shall be entitled, subject to rules and regulations, to bottle alcoholic
10 beverages in bond on behalf of all persons authorized by federal and
11 State law and regulations to withdraw alcoholic beverages from
12 bond. The fee for this license shall be \$625. This license shall be
13 issued only to persons holding permits to operate Internal Revenue
14 bonded warehouses pursuant to the laws of the United States.

15 The provisions of section 21 of P.L.2003, c.117 amendatory of
16 this section shall apply to licenses issued or transferred on or after
17 July 1, 2003, and to license renewals commencing on or after July
18 1, 2003.

19 (cf: P.L.2017, c.80, s.1)

20

21 2. This act shall take effect immediately.

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23

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STATEMENT

25

26 This bill changes certain requirements related to patronizing
27 limited brewery licensees, sometimes known as “microbreweries”
28 or “craft breweries.”

29 Under current law, a limited brewery is permitted to sell its beer
30 at retail to consumers for consumption on the brewery premises
31 only in connection with a tour of the brewery – whether the person
32 is a first time visitor or a repeat patron. This bill makes the tour
33 optional and allows a brewery to serve beer on its premises to a
34 consumer who has not toured the brewery; however, a brewery
35 would be required to offer consumers a tour, either at a regularly
36 scheduled date and time or upon request, and prominently display a
37 sign concerning the availability of tours. A limited brewery
38 licensee would also be required to make information available to
39 consumers about the brewery and brewing process. Offering
40 optional educational tours, providing notice to patrons of the tours,
41 and sharing information on the brewery and brewing process is
42 reasonable and practical for both consumers and brewery staff.

43 The bill additionally allows a licensee to offer, or offer for sale,
44 snack food (e.g., packaged crackers, chips, nuts, and similar snacks)
45 to patrons. Current law prohibits breweries from selling any food
46 or operating a restaurant. A limited brewery licensee would still be
47 prohibited from operating a restaurant.