

ASSEMBLY, No. 1183

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Allows instructional wine making facilities to sell wine for on premises consumption at certain events and donate wine to non-profits and charitable organizations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/3/2022)

1 **AN ACT** concerning instructional wine making facilities and
2 amending 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 brewery,
36 or for consumption off the premises in a quantity of not more than
37 15.5 fluid gallons per person, and to offer samples for sampling
38 purposes only pursuant to an annual permit issued by the director.
39 The holder of this license shall not sell food or operate a restaurant
40 on the licensed premises. The fee for this license shall be graduated
41 as follows:

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

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

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.

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

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

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

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

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

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

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

1 period of three years at the licensed premises of the winery. For the
2 purposes of this subsection, "sampling" means the selling at a
3 nominal charge or the gratuitous offering of an open container not
4 exceeding one and one-half ounces of any wine.

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

17 Farm winery license. 2b. The holder of this license shall be
18 entitled, subject to rules and regulations, to manufacture any
19 fermented wines and fruit juices in a quantity to be expressed in
20 said license, dependent upon the following fees and not in excess of
21 50,000 gallons per year and to sell and distribute his products to
22 wholesalers and retailers licensed in accordance with this chapter
23 and to churches for religious purposes and to sell and distribute
24 without this State to any persons pursuant to the laws of the places
25 of such sale and distribution, and to maintain a warehouse and to
26 sell at retail to consumers for consumption on or off the licensed
27 premises and to offer samples for sampling purposes only. The
28 license shall be issued only when the winery at which such
29 fermented wines and fruit juices are manufactured is located and
30 constructed upon a tract of land exclusively under the control of the
31 licensee, provided that the licensee is actively engaged in growing
32 and cultivating an area of not less than three acres on or adjacent to
33 the winery premises and on which are growing grape vines or fruit
34 to be processed into wine or fruit juice; and provided, further, that
35 for the first five years of the operation of the winery such fermented
36 wines and fruit juices shall be manufactured from at least 51
37 percent grapes or fruit grown in the State and that thereafter they
38 shall be manufactured from grapes or fruit grown in this State at
39 least to the extent required for labeling as "New Jersey Wine" under
40 the applicable federal laws and regulations. The containers of all
41 wine sold to consumers by such licensee shall have affixed a label
42 stating such information as shall be required by the rules and
43 regulations of the Director of the Division of Alcoholic Beverage
44 Control. The fee for this license shall be graduated as follows: to so
45 manufacture between 30,000 and 50,000 gallons per annum, \$375;
46 to so manufacture between 2,500 and 30,000 gallons per annum,
47 \$250; to so manufacture between 1,000 and 2,500 gallons per
48 annum, \$125; to so manufacture less than 1,000 gallons per annum,

1 \$63. No farm winery license shall be held by the holder of a plenary
2 winery license or be situated on a premises licensed as a plenary
3 winery.

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

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

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

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

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

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

46 Instructional winemaking facility license. 2d. The holder of this
47 license shall be entitled, subject to rules and regulations, to instruct
48 persons in and provide them with the opportunity to participate

1 directly in the process of winemaking and to directly assist such
2 persons in the process of winemaking while in the process of
3 instruction on the premises of the facility. The holder of this
4 license also shall be entitled to manufacture wine on the premises
5 not in excess of an amount of 10 percent of the wine produced
6 annually on the premises of the facility **】, which shall be used only**
7 **to replace quantities lost or discarded during the winemaking**
8 **process】**, to maintain a warehouse, and to offer samples produced
9 by persons who have received instruction in winemaking on the
10 premises by the licensee for sampling purposes **【only】** on the
11 licensed premises for the purpose of promoting winemaking for
12 personal or household use or consumption.

13 Wine produced on the premises of an instructional winemaking
14 facility shall be used, consumed, or disposed of on the facility's
15 premises or distributed from the facility's premises to a person who
16 has participated directly in the process of winemaking for the
17 person's personal or household use or consumption. The holder of
18 this license may sell mercantile items traditionally associated with
19 winemaking and novelty wearing apparel identified with the name
20 of the establishment licensed under the provisions of this section.

21 The holder of this license shall be entitled to serve wine
22 manufactured on the premises for consumption at events held on the
23 premises of the facility for the purpose of promoting winemaking
24 for personal or household use or consumption. The holder of this
25 license may use the licensed premises for an event or affair,
26 including an event or affair at which a plenary retail consumption
27 licensee serves alcoholic beverages in compliance with all
28 applicable statutes and regulations promulgated by the director.
29 The holder of this license also shall be entitled, subject to rules and
30 regulations, to donate wine to nonprofit or other charitable
31 organizations exempt from taxation pursuant to section 501(c)(3) of
32 the federal Internal Revenue Code of 1986 (26 U.S.C. s.501(c)(3))
33 and to provide wine sampling at an event sponsored by the
34 nonprofit or charitable organizations.

35 The fee for this license shall be \$1,000. For the purposes of this
36 subsection, "sampling" means the selling at a nominal charge or
37 gratuitous offering of an open container not exceeding one and one-
38 half ounces of any wine.

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

41 Out-of-State winery license. 2e. Provided that the applicant
42 does not produce more than 250,000 gallons of wine per year, the
43 holder of a valid winery license issued in any other state may make
44 application to the director for this license. The holder of this license
45 shall have the right to sell and distribute his products to wholesalers
46 licensed in accordance with this chapter and to sell such wine at
47 retail in original packages in 16 salesrooms apart from the winery
48 premises for consumption on or off the premises at a fee of \$250 for

1 each salesroom. Licensees shall not jointly control and operate
2 salesrooms. The annual fee for this license shall be \$938. A copy
3 of a current license issued by another state shall accompany the
4 application. The holder of this license also shall have the right to
5 sell and distribute his products to retailers licensed in accordance
6 with this chapter, except that the holder of this license shall not use
7 a common carrier for such distribution. The fee for this additional
8 privilege shall be graduated as follows: a licensee who
9 manufactures more than 150,000 gallons, but not in excess of
10 250,000 gallons per annum, \$1,000; a licensee who manufactures
11 more than 100,000 gallons, but not in excess of 150,000 gallons per
12 annum, \$500; a licensee who manufactures more than 50,000
13 gallons, but not in excess of 100,000 gallons per annum, \$250; a
14 licensee who manufactures 50,000 gallons or less per annum, \$100.
15 Additionally, the holder of this license may ship not more than 12
16 cases of wine per year, subject to regulation, to any person within or
17 without this State over 21 years of age for personal consumption
18 and not for resale. A case of wine shall not exceed a maximum of
19 nine liters. A copy of the original invoice shall be available for
20 inspection by persons authorized to enforce the alcoholic beverage
21 laws of this State for a minimum period of three years at the
22 licensed premises of the winery.

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

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

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

41 Cidery and meadery license. 2f. The holder of this license shall
42 be entitled, subject to rules and regulations, to manufacture hard
43 cider and mead and to sell and distribute these products to
44 wholesalers and retailers licensed in accordance with this chapter,
45 and to sell and distribute without this State to any persons pursuant
46 to the laws of the places of such sale and distribution, and to
47 maintain a warehouse. The holder of this license shall be entitled to
48 sell these products at retail to consumers on the licensed premises

1 for consumption on or off the premises and to offer samples for
2 sampling purposes only. The holder of this license shall be
3 permitted to offer for sale or make the gratuitous offering of
4 packaged crackers, chips, nuts, and similar snacks to consumers, but
5 shall not operate a restaurant on the licensed premises. The fee for
6 this license shall be \$938.

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

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

26 "Hard cider" means a fermented alcoholic beverage derived
27 primarily from apples, pears, apple juice concentrate and water, or
28 pear juice concentrate and water, which may include spices, herbs,
29 honey, or other flavoring, and which contains at least one half of
30 one percent but less than eight and one half percent alcohol by
31 volume.

32 "Mead" means an alcoholic beverage primarily made from
33 honey, water, and yeast, and which may contain fruit, fruit juices,
34 spices, or herbs added before or after fermentation has completed,
35 except that the ratio of fermentable sugars from fruit or fruit juices
36 shall not exceed 49 percent of the total fermentable sugars used to
37 produce mead.

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

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

1 Limited distillery license. 3b. The holder of this license shall be
2 entitled, subject to rules and regulations, to manufacture and bottle
3 any alcoholic beverages distilled from fruit juices and rectify,
4 blend, treat, mix, compound with wine and add necessary
5 sweetening and flavor to make cordial or liqueur, and to sell and
6 distribute to wholesalers and retailers licensed in accordance with
7 this chapter, and to sell and distribute without this State to any
8 persons pursuant to the laws of the places of such sale and
9 distribution and to warehouse these products. The fee for this
10 license shall be \$3,750.

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

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

45 The holder of this license shall not sell food or operate a
46 restaurant on the licensed premises. A holder of this license who
47 certifies that not less than 51 percent of the raw materials used in
48 the production of distilled alcoholic beverages under this section are

1 grown in this State or purchased from providers located in this State
 2 may, consistent with all applicable federal laws and regulations,
 3 label these distilled alcoholic beverages as "New Jersey Distilled."
 4 The fee for this license shall be \$938.

5 Rectifier and blender license. 4. The holder of this license shall
 6 be entitled, subject to rules and regulations, to rectify, blend, treat
 7 and mix distilled alcoholic beverages, and to fortify, blend, and
 8 treat fermented alcoholic beverages, and prepare mixtures of
 9 alcoholic beverages, and to sell and distribute his products to
 10 wholesalers and retailers licensed in accordance with this chapter,
 11 and to sell and distribute without this State to any persons pursuant
 12 to the laws of the places of such sale and distribution, and to
 13 maintain a warehouse. The fee for this license shall be \$7,500.

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

21 The provisions of section 21 of P.L.2003, c.117 amendatory of
 22 this section shall apply to licenses issued or transferred on or after
 23 July 1, 2003, and to license renewals commencing on or after July
 24 1, 2003.

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

26

27 2. This act shall take effect immediately.

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29

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STATEMENT

31

32 This bill allows the holder of an instructional winemaking facility
 33 license to serve wine for consumption at events on the licensed
 34 premises for the purpose of promoting winemaking for personal or
 35 household use or consumption. In addition, the bill allows these
 36 instructional winemaking facilities to donate wine to nonprofit or other
 37 charitable organizations.

38 Under current law, the holder of an instructional winemaking
 39 facility license is entitled to instruct persons and assist them in the
 40 wine making process. The licensed winemaking facility may hold
 41 events, including an event or affair at which a plenary retail
 42 consumption licensee serves alcoholic beverages.

43 Also under current law, the holder of an instructional winemaking
 44 facility license may manufacture wine on the premises in an amount
 45 that does not exceed 10 percent of the wine annually produced on the
 46 premises, which may only be used to replace quantities lost or
 47 discarded during the winemaking process. The bill retains the 10
 48 percent maximum but removes the requirement that wine

1 manufactured on the premises is only to be used to replace quantities
2 lost or discarded during the winemaking process. Under the bill the
3 instructional winemaking facility would be allowed to serve wine
4 manufactured on the premises during certain events. The instructional
5 winemaking facility would be allowed to donate the wine to nonprofit
6 or other charitable organizations and provide wine sampling at events
7 sponsored by these organizations. The bill also allows instructional
8 winemaking facilities to sell samples for a nominal charge.