

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 72**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

ADOPTED JUNE 21, 2021

**Sponsored by:**

**Senator CHRISTOPHER "KIP" BATEMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**SYNOPSIS**

Establishes farm brewery and winery-brewery beverage license.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate Law and Public Safety Committee.



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

21 Limited brewery license. 1b. The holder of this license shall  
22 be entitled, subject to rules and regulations, to brew any malt  
23 alcoholic beverages in a quantity to be expressed in said license,  
24 dependent upon the following fees and not in excess of 300,000  
25 barrels of 31 fluid gallons capacity per year and to sell and  
26 distribute this product to wholesalers and retailers licensed in  
27 accordance with this chapter, and to sell and distribute without this  
28 State to any persons pursuant to the laws of the places of such sale  
29 and distribution, and to maintain a warehouse; provided, however,  
30 that the delivery of this product by the holder of this license to  
31 retailers licensed under this title shall be from inventory in a  
32 warehouse located in this State which is operated under a limited  
33 brewery license. The holder of this license shall be entitled to sell  
34 this product at retail to consumers on the licensed premises of the  
35 brewery for consumption on the premises, but only in connection  
36 with a tour of the brewery, or for consumption off the premises in a  
37 quantity of not more than 15.5 fluid gallons per person, and to offer  
38 samples for sampling purposes only pursuant to an annual permit  
39 issued by the director. The holder of this license shall not sell food  
40 or operate a restaurant on the licensed premises. The fee for this  
41 license shall be graduated 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 be  
12 entitled, subject to rules and regulations, to brew any malt alcoholic  
13 beverages in a quantity to be expressed in such license not in excess  
14 of 10,000 barrels of 31 gallons capacity per year. Notwithstanding  
15 the provisions of R.S.33:1-26, the director shall issue a restricted  
16 brewery license only to a person or an entity which has identical  
17 ownership to an entity which holds a plenary retail consumption  
18 license issued pursuant to R.S.33:1-12, provided that such plenary  
19 retail consumption license is operated in conjunction with a  
20 restaurant regularly and principally used for the purpose of  
21 providing meals to its customers and having adequate kitchen and  
22 dining room facilities, and that the licensed restaurant premises is  
23 immediately adjoining the premises licensed under this subsection.  
24 The holder of this license shall be entitled to sell or deliver the  
25 product to that restaurant premises. The holder of this license also  
26 shall be entitled to sell and distribute the product to wholesalers  
27 licensed in accordance with this chapter. The fee for this license  
28 shall be \$1,250, which fee shall entitle the holder to brew up to  
29 1,000 barrels of 31 liquid gallons per annum. The licensee also shall  
30 pay an additional \$250 for every additional 1,000 barrels of 31 fluid  
31 gallons produced. The fee shall be paid at the time of application  
32 for the license, and additional payments based on barrels produced  
33 shall be paid within 60 days following the expiration of the license  
34 term upon certification by the licensee of the actual gallons brewed  
35 during the license term. No more than 10 restricted brewery  
36 licenses shall be issued to a person or entity which holds an interest  
37 in a plenary retail consumption license. If the governing body of the  
38 municipality in which the licensed premises will be located should  
39 file a written objection, the director shall hold a hearing and may  
40 issue the license only if the director finds that the issuance of the  
41 license will not be contrary to the public interest. All fees related to  
42 the issuance of both licenses shall be paid in accordance with  
43 statutory law. The provisions of this subsection shall not be  
44 construed to limit or restrict the rights and privileges granted by the  
45 plenary retail consumption license held by the holder of the  
46 restricted brewery license issued pursuant to this 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       Farm brewery license. 1d. The holder of this license shall be  
12 entitled, subject to rules and regulations, to brew any malt alcoholic  
13 beverages in a quantity to be expressed in the license not in excess of  
14 2,000 barrels of 31 fluid gallons per year and to maintain a warehouse  
15 and to sell products to consumers for consumption off the licensed  
16 premises and to offer samples for sampling purposes only. The license  
17 shall be issued only when the brewery at which such malt alcoholic  
18 beverages are brewed is located and constructed upon a tract of land  
19 exclusively under the control of the licensee, provided the licensee is  
20 actively engaged in farming on or adjacent to the brewery premises  
21 and is growing and cultivating hops or another product which is used  
22 in the production of the malt alcoholic beverages. The fee for this  
23 license shall be graduated as follows: to manufacture between 1,200  
24 and 2,000 barrels per year, \$300; to manufacture between 100 and  
25 1,199 barrels per year, \$200; to manufacture fewer than 100 barrels per  
26 year, \$100. For purposes of this subsection, "sampling" means the  
27 selling at a nominal charge or the gratuitous offering of an open  
28 container not exceeding one and one-half ounces of a malt alcoholic  
29 beverage. No individual or entity shall hold more than one farm  
30 brewery license.

31       Plenary winery license. 2a. Provided that the holder is  
32 engaged in growing and cultivating grapes or fruit used in the  
33 production of wine on at least three acres on, or adjacent to, the  
34 winery premises, the holder of this license shall be entitled, subject  
35 to rules and regulations, to produce any fermented wines, and to  
36 blend, fortify and treat wines, and to sell and distribute his products  
37 to wholesalers licensed in accordance with this chapter and to  
38 churches for religious purposes, and to sell and distribute without  
39 this State to any persons pursuant to the laws of the places of such  
40 sale and distribution, and to maintain a warehouse, and to sell his  
41 products at retail to consumers on the licensed premises of the  
42 winery for consumption on or off the premises and to offer samples  
43 for sampling purposes only. The fee for this license shall be \$938.  
44 A holder of this license who produces not more than 250,000  
45 gallons per year shall also have the right to sell and distribute his  
46 products to retailers licensed in accordance with this chapter, except  
47 that the holder of this license shall not use a common carrier for  
48 such distribution. The fee for this additional privilege shall be

1 graduated as follows: a licensee who manufactures more than  
2 150,000 gallons, but not in excess of 250,000 gallons per annum,  
3 \$1,000; a licensee who manufactures more than 100,000 gallons,  
4 but not in excess of 150,000 gallons per annum, \$500; a licensee  
5 who manufactures more than 50,000 gallons, but not in excess of  
6 100,000 gallons per annum, \$250; a licensee who manufactures  
7 50,000 gallons or less per annum, \$100. A holder of this license  
8 who produces not more than 250,000 gallons per year shall have the  
9 right to sell such wine at retail in original packages in 15  
10 salesrooms apart from the winery premises for consumption on or  
11 off the premises and for sampling purposes for consumption on the  
12 premises, at a fee of \$250 for each salesroom. Licensees shall not  
13 jointly control and operate salesrooms. Additionally, the holder of  
14 this license who produces not more than 250,000 gallons per year  
15 may ship not more than 12 cases of wine per year, subject to  
16 regulation, to any person within or without this State over 21 years  
17 of age for personal consumption and not for resale. A case of wine  
18 shall not exceed a maximum of nine liters. A copy of the original  
19 invoice shall be available for inspection by persons authorized to  
20 enforce the alcoholic beverage laws of this State for a minimum  
21 period of three years at the licensed premises of the winery. For the  
22 purposes of this subsection, "sampling" means the selling at a  
23 nominal charge or the gratuitous offering of an open container not  
24 exceeding one and one-half ounces of any 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. In addition, a holder of this  
29 license who produces more than 250,000 gallons per year shall not  
30 own, either in whole or in part, or hold, either directly or indirectly,  
31 any interest in a winery that produces not more than 250,000  
32 gallons per year. For the purposes of this subsection, "product"  
33 means any wine that is produced, blended, fortified, or treated by  
34 the licensee on its licensed premises situated in the State of New  
35 Jersey. For the purposes of this subsection, "wine" shall include  
36 "hard cider" and "mead" as defined in this section.

37 Farm winery license. 2b. The holder of this license shall  
38 be entitled, subject to rules and regulations, to manufacture any  
39 fermented wines and fruit juices in a quantity to be expressed in  
40 said license, dependent upon the following fees and not in excess of  
41 50,000 gallons per year and to sell and distribute his products to  
42 wholesalers and retailers licensed in accordance with this chapter  
43 and to churches for religious purposes and to sell and distribute  
44 without this State to any persons pursuant to the laws of the places  
45 of such sale and distribution, and to maintain a warehouse and to  
46 sell at retail to consumers for consumption on or off the licensed  
47 premises and to offer samples for sampling purposes only. The  
48 license shall be issued only when the winery at which such

1 fermented wines and fruit juices are manufactured is located and  
2 constructed upon a tract of land exclusively under the control of the  
3 licensee, provided that the licensee is actively engaged in growing  
4 and cultivating an area of not less than three acres on or adjacent to  
5 the winery premises and on which are growing grape vines or fruit  
6 to be processed into wine or fruit juice; and provided, further, that  
7 for the first five years of the operation of the winery such fermented  
8 wines and fruit juices shall be manufactured from at least 51  
9 percent grapes or fruit grown in the State and that thereafter they  
10 shall be manufactured from grapes or fruit grown in this State at  
11 least to the extent required for labeling as "New Jersey Wine" under  
12 the applicable federal laws and regulations. The containers of all  
13 wine sold to consumers by such licensee shall have affixed a label  
14 stating such information as shall be required by the rules and  
15 regulations of the Director of the Division of Alcoholic Beverage  
16 Control. The fee for this license shall be graduated as follows: to so  
17 manufacture between 30,000 and 50,000 gallons per annum, \$375;  
18 to so manufacture between 2,500 and 30,000 gallons per annum,  
19 \$250; to so manufacture between 1,000 and 2,500 gallons per  
20 annum, \$125; to so manufacture less than 1,000 gallons per annum,  
21 \$63. No farm winery license shall be held by the holder of a plenary  
22 winery license or be situated on a premises licensed as a plenary  
23 winery.

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

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

1 Unless otherwise indicated, for the purposes of this subsection,  
2 with respect to farm winery licenses, "manufacture" means the  
3 vinification, aging, storage, blending, clarification, stabilization and  
4 bottling of wine or juice from New Jersey fruit to the extent  
5 required by this subsection.

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

8 Wine blending license. 2c. The holder of this license shall  
9 be entitled, subject to rules and regulations, to blend, treat, mix, and  
10 bottle fermented wines and fruit juices with non-alcoholic  
11 beverages, and to sell and distribute his products to wholesalers and  
12 retailers licensed in accordance with this chapter, and to sell and  
13 distribute without this State to any persons pursuant to the laws of  
14 the places of such sale and distribution, and to maintain a  
15 warehouse. The fee for this license shall be \$625.

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

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

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

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

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

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



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

3 Cidery and meadery license. 2f. The holder of this  
4 license shall be entitled, subject to rules and regulations, to  
5 manufacture hard cider and mead and to sell and distribute these  
6 products 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 maintain a warehouse. The holder of this  
10 license shall be entitled to sell these products at retail to consumers  
11 on the licensed premises for consumption on or off the premises and  
12 to offer samples for sampling purposes only. The holder of this  
13 license shall be permitted to offer for sale or make the gratuitous  
14 offering of packaged crackers, chips, nuts, and similar snacks to  
15 consumers, but shall not operate a restaurant on the licensed  
16 premises. The fee for this license shall be \$938.

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

26 The holder of this license shall be entitled to manufacture not  
27 more than 250,000 gallons of mead per year. The holder of this  
28 license may ship not more than 12 cases of mead per year, subject  
29 to regulation, to any person within or without this State over 21  
30 years of age for personal consumption and not for resale. A case of  
31 mead shall not exceed a maximum of nine liters. A copy of the  
32 original invoice shall be available for inspection by persons  
33 authorized to enforce the alcoholic beverage laws of this State for a  
34 minimum period of three years at the licensed premises. As used in  
35 this subsection:

36 "Hard cider" means a fermented alcoholic beverage derived  
37 primarily from apples, pears, apple juice concentrate and water, or  
38 pear juice concentrate and water, which may include spices, herbs,  
39 honey, or other flavoring, and which contains at least one half of  
40 one percent but less than eight and one half percent alcohol by  
41 volume.

42 "Mead" means an alcoholic beverage primarily made from  
43 honey, water, and yeast, and which may contain fruit, fruit juices,  
44 spices, or herbs added before or after fermentation has completed,  
45 except that the ratio of fermentable sugars from fruit or fruit juices  
46 shall not exceed 49 percent of the total fermentable sugars used to  
47 produce mead.

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

4 Winery-brewery sublicense. 2g. The holder of a plenary winery  
5 license or a farm winery license, provided that the licensee is  
6 engaged in farming on or adjacent to the winery premises and is  
7 growing and cultivating hops or another product used in the  
8 production of malt alcoholic beverages, shall be entitled, subject to  
9 rules and regulations, to brew any malt alcoholic beverages in a  
10 quantity expressed in the license not in excess of 3,000 barrels of 31  
11 fluid gallons capacity per year. The fee for this sublicense shall be  
12 \$750. The holder of this sublicense shall be entitled to maintain a  
13 warehouse and to sell these products at retail to consumers for  
14 consumption off the licensed premises and to offer samples for  
15 sampling purposes only. For purposes of this subsection,  
16 “sampling” means the selling at a nominal charge or the gratuitous  
17 offering of an open container not exceeding one and one-half  
18 ounces of any malt alcoholic beverage. No individual or entity  
19 shall hold more than one winery-brewery sublicense.

20 Plenary distillery license. 3a. The holder of this license shall  
21 be entitled, subject to rules and regulations, to manufacture any  
22 distilled alcoholic beverages and rectify, blend, treat and mix, and  
23 to sell and distribute his products to wholesalers and retailers  
24 licensed in accordance with this chapter, and to sell and distribute  
25 without this State to any persons pursuant to the laws of the places  
26 of such sale and distribution, and to maintain a warehouse. The fee  
27 for this license shall be \$12,500.

28 Limited distillery license. 3b. The holder of this license shall  
29 be entitled, subject to rules and regulations, to manufacture and  
30 bottle any alcoholic beverages distilled from fruit juices and rectify,  
31 blend, treat, mix, compound with wine and add necessary  
32 sweetening and flavor to make cordial or liqueur, and to sell and  
33 distribute to wholesalers and retailers licensed in accordance with  
34 this chapter, and to sell and distribute without this State to any  
35 persons pursuant to the laws of the places of such sale and  
36 distribution and to warehouse these products. The fee for this  
37 license shall be \$3,750.

38 Supplementary limited distillery license. 3c. The holder of this  
39 license shall be entitled, subject to rules and regulations, to bottle  
40 and rebottle, in a quantity to be expressed in said license, dependent  
41 upon the following fees, alcoholic beverages distilled from fruit  
42 juices by such holder pursuant to a prior plenary or limited distillery  
43 license, 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 graduated as follows:  
48 to so bottle and rebottle not more than 5,000 wine gallons per

1 annum, \$313; to so bottle and rebottle not more than 10,000 wine  
2 gallons per annum, \$625; to so bottle and rebottle without limit as  
3 to amount, \$1,250.

4 Craft distillery license. 3d. The holder of this license shall  
5 be entitled, subject to rules and regulations, to manufacture not  
6 more than 20,000 gallons of distilled alcoholic beverages, to rectify,  
7 blend, treat and mix distilled alcoholic beverages, to sell and  
8 distribute this product to wholesalers and retailers licensed in  
9 accordance with this chapter, and to sell and distribute without this  
10 State to any persons pursuant to the laws of the places of such sale  
11 and distribution, and to maintain a warehouse. The holder of this  
12 license shall be entitled to sell this product at retail to consumers on  
13 the licensed premises of the distillery for consumption on the  
14 premises, but only in connection with a tour of the distillery, and  
15 for consumption off the premises in a quantity of not more than five  
16 liters per person. In addition, the holder of this license may offer  
17 any person not more than three samples per calendar day for  
18 sampling purposes only. For the purposes of this subsection,  
19 "sampling" means the gratuitous offering of an open container not  
20 exceeding one-half ounce serving of distilled alcoholic beverage  
21 produced on the distillery premises. Nothing in this subsection shall  
22 be deemed to permit the direct shipment of distilled spirits either  
23 within or without this State.

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

32 Rectifier and blender license. 4. The holder of this license  
33 shall be entitled, subject to rules and regulations, to rectify, blend,  
34 treat and mix distilled alcoholic beverages, and to fortify, blend,  
35 and treat fermented alcoholic beverages, and prepare mixtures of  
36 alcoholic beverages, and to sell and distribute his products to  
37 wholesalers and retailers licensed in accordance with this chapter,  
38 and to sell and distribute without this State to any persons pursuant  
39 to the laws of the places of such sale and distribution, and to  
40 maintain a warehouse. The fee for this license shall be \$7,500.

41 Bonded warehouse bottling license. 5. The holder of this  
42 license shall be entitled, subject to rules and regulations, to bottle  
43 alcoholic beverages in bond on behalf of all persons authorized by  
44 federal and State law and regulations to withdraw alcoholic  
45 beverages from bond. The fee for this license shall be \$625. This  
46 license shall be issued only to persons holding permits to operate  
47 Internal Revenue bonded warehouses pursuant to the laws of the  
48 United States.

1       The provisions of section 21 of P.L.2003, c.117 amendatory of  
2 this section shall apply to licenses issued or transferred on or after  
3 July 1, 2003, and to license renewals commencing on or after July  
4 1, 2003.

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

6

7       2. This act shall take effect on the first day of the fourth month  
8 following enactment.