

SENATE, No. 978

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

SYNOPSIS

Authorizes restricted breweries to annually sell up to 1,000 barrels of beer to in-State and out-of-state retailers.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning restricted breweries and amending R.S.33:1-10.

2

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

5

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

7 33:1-10. Class A licenses shall be subdivided and classified as
8 follows:

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

20 Limited brewery license. 1b. The holder of this license shall
21 be entitled, subject to rules and regulations, to brew any malt
22 alcoholic beverages in a quantity to be expressed in said license,
23 dependent upon the following fees and not in excess of 300,000
24 barrels of 31 fluid gallons capacity per year and to sell and
25 distribute this product to wholesalers and retailers licensed in
26 accordance with this chapter, and to sell and distribute without this
27 State to any persons pursuant to the laws of the places of such sale
28 and distribution, and to maintain a warehouse; provided, however,
29 that the delivery of this product by the holder of this license to
30 retailers licensed under this title shall be from inventory in a
31 warehouse located in this State which is operated under a limited
32 brewery license. The holder of this license shall be entitled to sell
33 this product at retail to consumers on the licensed premises of the
34 brewery for consumption on the premises, but only in connection
35 with a tour of the brewery, or for consumption off the premises in a
36 quantity of not more than 15.5 fluid gallons per person, and to offer
37 samples for sampling purposes only pursuant to an annual permit
38 issued by the director. The holder of this license shall not sell food
39 or operate a restaurant on the licensed premises. The fee for this
40 license shall be graduated as follows:

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

43 to so brew not more than 100,000 barrels of 31 fluid gallons
44 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, and to
28 annually sell and distribute up to 1,000 barrels in aggregate to
29 retailers licensed in accordance with this chapter and to retailers
30 without this State pursuant to the laws of the places of the sale and
31 distribution. The fee for this license shall be \$1,250, which fee
32 shall entitle the holder to brew up to 1,000 barrels of 31 liquid
33 gallons per annum. The licensee also shall pay an additional \$250
34 for every additional 1,000 barrels of 31 fluid gallons produced. The
35 fee shall be paid at the time of application for the license, and
36 additional payments based on barrels produced shall be paid within
37 60 days following the expiration of the license term upon
38 certification by the licensee of the actual gallons brewed during the
39 license term. No more than 10 restricted brewery licenses shall be
40 issued to a person or entity which holds an interest in a plenary
41 retail consumption license. If the governing body of the
42 municipality in which the licensed premises will be located should
43 file a written objection, the director shall hold a hearing and may
44 issue the license only if the director finds that the issuance of the
45 license will not be contrary to the public interest. All fees related to
46 the issuance of both licenses shall be paid in accordance with
47 statutory law. The provisions of this subsection shall not be
48 construed to limit or restrict the rights and privileges granted by the

1 plenary retail consumption license held by the holder of the
2 restricted brewery license issued pursuant to this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 The holder of this license shall be entitled to manufacture hard
48 cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons

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

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

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

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

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

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

41 Limited distillery license. 3b. The holder of this license shall
42 be entitled, subject to rules and regulations, to manufacture and
43 bottle any alcoholic beverages distilled from fruit juices and rectify,
44 blend, treat, mix, compound with wine and add necessary
45 sweetening and flavor to make cordial or liqueur, and to sell and
46 distribute to wholesalers and retailers licensed in accordance with
47 this chapter, and to sell and distribute without this State to any
48 persons pursuant to the laws of the places of such sale and

1 distribution and to warehouse these products. The fee for this
2 license shall be \$3,750.

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

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

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

45 Rectifier and blender license. 4. The holder of this
46 license shall be entitled, subject to rules and regulations, to rectify,
47 blend, treat and mix distilled alcoholic beverages, and to fortify,
48 blend, and treat fermented alcoholic beverages, and prepare

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

7 Bonded warehouse bottling license. 5. The holder of this
8 license shall be entitled, subject to rules and regulations, to bottle
9 alcoholic beverages in bond on behalf of all persons authorized by
10 federal and State law and regulations to withdraw alcoholic
11 beverages from bond. The fee for this license shall be \$625. This
12 license shall be issued only to persons holding permits to operate
13 Internal Revenue bonded warehouses pursuant to the laws of the
14 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.
22
23

24 STATEMENT

25
26 This bill authorizes restricted breweries, commonly referred to as
27 brew pubs, to annually sell and distribute up to 1,000 barrels of malt
28 alcoholic beverages to State-licensed retailers and retailers licensed
29 in other states.

30 Under current law, a restricted brewery is required to be operated
31 in conjunction with a restaurant which is immediately adjoining the
32 restricted brewery premises. The product of the restricted brewery
33 may only be delivered to that restaurant premises and to
34 wholesalers licensed under Title 33. Under this bill, restricted
35 breweries also would be authorized to sell and distribute up to 1,000
36 barrels of the product, in aggregate, to retailers licensed pursuant to
37 the laws of this State and retailers licensed in other states pursuant
38 to the laws of those states.