

SENATE, No. 3673

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 26, 2021

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Authorizes limited breweries and craft distilleries to sell at retail and offer for sampling purposes product bottled and stored off-site under certain circumstances and authorizes craft distilleries to manufacture redistilled alcoholic beverages.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning limited breweries and craft distilleries 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
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. If the holder of this license holds a bonded
40 warehouse bottling license issued pursuant to subsection 5 of this
41 section, product brewed in accordance with this subsection and
42 transferred to a bonded warehouse for bottling and storage may be
43 sold at retail and offered for sampling on the licensed premises of
44 the brewery by the holder of this license. The holder of this license

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 shall not sell food or operate a restaurant on the licensed premises.

2 The fee for this license shall be graduated as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 As used in this subsection:

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

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

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

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

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

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

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

19 Craft distillery license. 3d. The holder of this license shall
20 be entitled, subject to rules and regulations, to manufacture not
21 more than 20,000 gallons of distilled or redistilled alcoholic
22 beverages, to rectify, blend, treat and mix distilled or redistilled
23 alcoholic beverages, to sell and distribute this product to
24 wholesalers and retailers licensed in accordance with this chapter,
25 and to sell and distribute without this State to any persons pursuant
26 to the laws of the places of such sale and distribution, and to
27 maintain a warehouse. The holder of this license shall be entitled to
28 sell this product at retail to consumers on the licensed premises of
29 the distillery for consumption on the premises, but only in
30 connection with a tour of the distillery, and for consumption off the
31 premises in a quantity of not more than five liters per person. In
32 addition, the holder of this license may offer any person not more
33 than three samples per calendar day for sampling purposes only. For
34 the purposes of this subsection, "sampling" means the gratuitous
35 offering of an open container not exceeding one-half ounce serving
36 of distilled alcoholic beverage produced on the distillery premises.
37 If the holder of this license holds a bonded warehouse bottling
38 license issued pursuant to subsection 5 of this section, product
39 manufactured in accordance with this subsection and transferred to
40 a bonded warehouse for bottling and storage may be sold at retail
41 and offered for sampling on the licensed premises of the distillery
42 by the holder of this license. Product sold at retail for consumption
43 on the licensed premises or offered for sampling purposes may be
44 mixed into a cocktail with non-alcoholic beverages, mixers, or
45 garnishings. Nothing in this subsection shall be deemed to permit
46 the direct shipment of distilled spirits either within or without this
47 State.

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

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

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

27 The provisions of section 21 of P.L.2003, c.117 amendatory of
28 this section shall apply to licenses issued or transferred on or after
29 July 1, 2003, and to license renewals commencing on or after July
30 1, 2003.

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

32

33 2. This act shall take effect immediately.

34

35

STATEMENT

36

37 This bill provides that the holder of a limited brewery license or
38 a craft distillery license would be permitted to sell and sample beer
39 or distilled spirits, as the case may be, on the licensed premises that
40 was bottled and stored off-site, under certain circumstances.

41 Current law provides that a limited brewery licensee is permitted
42 to sell product at retail and to offer product for sampling purposes
43 at the brewery location. Retail sales or sampling of other beer or
44 alcoholic beverages are prohibited. This bill provides that if a
45 limited brewery licensee additionally is the holder of a bonded
46 warehouse bottling license, the licensee would be permitted to sell
47 at retail and offer for sampling on the brewery premises product

1 that was brewed at the brewery and subsequently bottled and stored
2 off-site pursuant to the bonded warehouse bottling license.

3 Current law provides that the holder of a craft distillery may sell
4 product at retail and offer product for sampling purposes at the
5 distillery location. Under this bill, if the craft distillery licensee
6 additionally is the holder of a bonded warehouse bottling license,
7 the licensee would be permitted to sell at retail and offer for
8 sampling on the distillery premises product that was manufactured
9 at the distillery and subsequently bottled and stored off-site
10 pursuant to the bonded warehouse bottling license. The bill further
11 provides that product sold at retail for consumption on the licensed
12 premises or offered for sampling purposes may be mixed into a
13 cocktail with non-alcoholic beverages, mixers, or garnishings.

14 Finally, the bill provides that the holder of a craft distillery
15 license would be authorized to manufacture distilled and redistilled
16 alcoholic beverages. Current law only authorizes the manufacture of
17 distilled alcoholic beverages.