

FINAL BILL REPORT

SSB 5265

C 44 L 03
Synopsis as Enacted

Brief Description: Allowing limited marketing of bottled wine at farmers markets.

Sponsors: Senate Committee on Commerce & Trade (originally sponsored by Senators Thibaudeau, Honeyford, Jacobsen, Kohl-Welles, Johnson, Kline, McAuliffe, Rasmussen, Regala, B. Sheldon, Spanel, Winsley and Kastama).

Senate Committee on Commerce & Trade
House Committee on Commerce & Labor

Background: Domestic wineries are licensed by the Liquor Control Board. Domestic wineries may sell wine for off-premises consumption and serve samples of their products at up to two locations separate from the winery. Each additional location must be approved by the board, and local jurisdictions, schools, and churches must be given an opportunity to object to the locations.

Summary: Domestic wineries may apply to the board for an endorsement to sell wine of their own production for off-premises consumption at a qualifying farmers market. The annual fee for this endorsement is \$75. No tasting or sampling of wine may occur at farmers market locations. Wineries may not act as distributors from farmers markets. A farmers market endorsement may be issued in addition to permitted retail locations for wineries.

Before wine is sold at a farmers market, both the winery and the farmers market must receive authorization from the board. The farmers market's application for authorization includes a map of the farmers market showing all locations at which a winery may sell wine, and the name and contact information for the on-site market managers. The board may withdraw a farmers market's authorization for any violation of laws or rules pertaining to the board.

Before granting authorization, the board must notify local jurisdictions in which the market is located, as well as schools and churches near the market, that the market is seeking authorization for wine to be sold. These parties must have an opportunity to object to the sale of wine at the market.

For each month that a domestic winery sells wine at a farmers market, the winery must provide the board with prior notification of the dates, times, and locations of its farmers market sales.

The winery may not store wine at a farmers market beyond the hours that the winery offers bottled wine for sale. Wine sold at qualifying farmers markets must be made entirely from grapes grown in a recognized Washington appellation, or from other products grown entirely in this state.

"Qualifying farmers market" is defined as a "regular assembly of vendors at a defined location for the purpose of promoting the sale of agricultural products grown or produced in this state directly to the consumer." A location must meet the following criteria to be considered a qualifying farmers market: there must be at least five participating vendors who are farmers selling their own agricultural products; the combined gross annual sales of vendors at the market who are farmers must exceed the combined gross annual sales of vendors who are processors or resellers; the total combined gross annual sales of vendors who are farmers, processors or resellers must exceed the total combined gross annual sales of other vendors; no vendor at the market may sell imported items or secondhand items; and no vendor may be a franchisee.

Votes on Final Passage:

Senate	45	1
House	95	0

Effective: July 27, 2003