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**State Government & Tribal Affairs  
Committee**

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**SSB 5029**

**Brief Description:** Concerning beer and wine tasting at farmers markets.

**Sponsors:** Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, White, King, Honeyford, Holmquist Newbry, Kline, Conway, Tom, Chase, Hewitt, Harper, Nelson and McAuliffe).

**Brief Summary of Substitute Bill**

- Creates a pilot project for beer and wine tasting at farmers markets.

**Hearing Date:** 3/17/11

**Staff:** Joan Elgee (786-7106).

**Background:**

Wineries and microbreweries may obtain an endorsement from the Liquor Control Board (Board) to sell their products for off-premises consumption at qualifying farmers markets. Farmers markets must meet certain criteria and receive authorization from the Board to allow beer or wine sales.

Sampling of beer and wine is permitted in some circumstances. Beer and/or wine specialty shops may serve samples of two ounces or less to a customer. Legislation passed in 2010 allows certain grocery stores to conduct tastings with an endorsement issued by the Board. Wineries and microbreweries may also serve samples. A farmers market endorsement to a winery or microbrewery license, however, does not authorize tasting at a farmers market.

Persons who serve alcohol for on-premises consumption on licensed retail premises must obtain a Mandatory Alcohol Server Training (MAST) permit.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

An Alcohol Impact Area (AIA) is a geographic area, designated by a local government and recognized by resolution of the Board, that is adversely affected by chronic public inebriation or illegal activity associated with alcohol sales or consumption. The Board may place restrictions on licensees located in an AIA.

**Summary of Bill:**

The Board is directed to establish a pilot project for beer and wine tasting at farmers markets. The pilot project is for 10 farmers markets with at least six days of tastings at each location between July 1, 2011, and September 30, 2012. Only one winery or microbrewery may offer samples at a farmers market per day.

Farmers markets chosen to participate in the pilot project must be authorized, as of January 1, 2011, for winery sales and must also be authorized for microbrewery sales if a microbrewery is providing samples. Wineries and microbreweries offering samples must hold an endorsement to sell at farmers markets starting May 1, 2011.

A number of conditions for sampling must be met:

- Samples must be two ounces or less, up to a total of four ounces per customer per day, and no more than one sample of any single brand and type may be provided to a customer per day.
- Customers must remain at the designated stall, booth, or other designated location while sampling beer or wine.
- A winery or microbrewery may advertise sampling only at its designated location at the farmers market.
- A winery or microbrewery must have food available or be adjacent to a vendor offering prepared food.

Winery and microbrewery licensees and employees who are involved in sampling activities must hold a MAST permit or complete a training program approved by the Board that addresses only those subjects reasonably related to farmers market sampling.

The Board may prohibit sampling at a farmers market within an AIA if the Board finds that tasting at the farmers market is having an adverse effect on the reduction of chronic public inebriation in the area.

The Board may establish additional requirements by rule to ensure that persons under 21 years of age and apparently intoxicated persons cannot possess or consume alcohol.

The Board must report to the appropriate committees of the Legislature on the pilot project by December 1, 2012, when the Act expires.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.