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**Commerce & Gaming Committee**

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**HB 2419**

**Brief Description:** Regarding beer, wine, cider, and mead at farmers markets.

**Sponsors:** Representatives Hargrove, Muri and Haler.

**Brief Summary of Bill**

- Authorizes a qualifying microbrewery to sell growlers of beer to the public at a qualifying farmers market.
- Authorizes a qualifying domestic winery to sell cider and mead of its own production by the bottle or in a growler at a qualifying farmers market.
- Authorizes a qualifying domestic winery to provide tasting samples of cider and mead to the public at a farmers market in accordance with regulations governing such sampling.
- Provides a statutory definition of "growler."
- Eliminates a statutory provision prohibiting a microbrewery from selling strong beer at a qualifying farmers market.

**Hearing Date:** 1/16/18

**Staff:** Thamas Osborn (786-7129).

**Background:**

A licensed domestic winery may apply to the Liquor and Cannabis Board (LCB) for a license endorsement authorizing the sale of wine at retail at qualifying farmers markets for off-premises consumption. Similarly, a licensed microbrewery may apply the LCB for a similar endorsement authorizing the sale of bottled beer at retail at qualifying farmers market for off-premises consumption. The wine and beer sold must be of the domestic winery or microbrewery's own production.

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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.*

A qualifying farmers market may apply to the LCB for authorization to allow a qualifying domestic winery or microbrewery to offer samples of wine or beer, respectively, to the public for tasting purposes. The offering of samples by a domestic winery or microbrewery are subject to the following restrictions and requirements:

- No more than three wineries or microbreweries combined may offer samples at a qualifying farmers market per day.
- Samples must be two ounces or less.
- A winery or microbrewery may provide a maximum of two ounces of wine or beer to a customer per day.
- Customers must remain at the designated booth, stall, or other designated location while sampling beer or wine.
- Winery and microbrewery licensees and employees who are involved in sampling activities must hold a class 12 or class 13 alcohol server permit.
- A winery or microbrewery must have food available for customers to consume while sampling beer or wine, or must be adjacent to a vendor offering prepared food.

Qualifying microbreweries are prohibited from selling "strong beer" at a farmers market. "Strong beer" is defined to mean any malt liquor or malt beverage containing more than eight percent alcohol by weight.

**Summary of Bill:**

In addition to bottles of wine, a qualifying domestic winery may also sell cider and mead of its own production at a qualifying farmers market. Wine may only be sold by the bottle, whereas cider and mead may be sold either by the bottle or in a growler. Mead sold by a qualifying winery at a farmers market must have an alcohol content no greater than fourteen percent by volume. A qualifying winery may also provide tasting samples of cider and mead to the public in accordance with regulations governing such sampling at a farmers market.

In addition to bottled beer, a qualifying microbrewery may also sell growlers of beer to the public at a qualifying farmers market.

A statutory provision prohibiting a microbrewery from selling strong beer at a qualifying farmers market is eliminated.

A "growler" is defined to mean a sanitary container brought to an authorized premises by the purchaser, or provided by a licensee, and filled at the tap by the licensee at the time of sale by an employee of the licensee.

**Appropriation:** None.

**Fiscal Note:** Available.

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