

# ASSEMBLY, No. 4594

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2022

**Sponsored by:**

**Assemblyman KEVIN J. ROONEY**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Assemblywoman MICHELE MATSIKLOUDIS**

**District 21 (Morris, Somerset and Union)**

**Assemblyman ROY FREIMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Co-Sponsored by:**

**Assemblywoman Flynn**

**SYNOPSIS**

Permits limited breweries to hold an unlimited number of certain events.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/26/2023)

A4594 ROONEY, MATSIKLOUDIS

2

1 AN ACT concerning limited 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 Class A licenses; subdivisions; fees.

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

21 Limited brewery license 1b. The holder of this license shall be  
22 entitled, subject to rules and regulations, to brew any malt alcoholic  
23 beverages in a quantity to be expressed in said license, dependent  
24 upon the following fees and not in excess of 300,000 barrels of 31  
25 fluid gallons capacity per year and to sell and distribute this product  
26 to wholesalers and retailers licensed in accordance with this  
27 chapter, and to sell and distribute without this State to any persons  
28 pursuant to the laws of the places of such sale and distribution, and  
29 to maintain a warehouse; provided, however, that the delivery of  
30 this product by the holder of this license to retailers licensed under  
31 this title shall be from inventory in a warehouse located in this State  
32 which is operated under a limited brewery license. The holder of  
33 this license shall be entitled to sell this product at retail to  
34 consumers on the licensed premises of the brewery for consumption  
35 on the premises, but only in connection with a tour of the brewery,  
36 or for consumption off the premises in a quantity of not more than  
37 15.5 fluid gallons per person, and to offer samples for sampling  
38 purposes only pursuant to an annual permit issued by the director.  
39 If the holder of this license holds a bonded warehouse bottling  
40 license issued pursuant to subsection 5 of this section, product  
41 brewed in accordance with this subsection and transferred to a  
42 bonded warehouse for bottling and storage may be sold at retail and  
43 offered for sampling on the licensed premises of the brewery by the  
44 holder of this license. The holder of this license shall not sell food  
45 or operate a restaurant on the licensed premises. The holder of this

**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 license shall be entitled to hold an unlimited number of on-premises  
2 special events, off-premises special events, private parties, and  
3 events held pursuant to a permit issued in accordance with  
4 R.S.33:1-74. The fee for this license shall be graduated as follows:

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

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

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

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

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

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

1 finds that the issuance of the license will not be contrary to the  
2 public interest. All fees related to the issuance of both licenses  
3 shall be paid in accordance with statutory law. The provisions of  
4 this subsection shall not be construed to limit or restrict the rights  
5 and privileges granted by the plenary retail consumption license  
6 held by the holder of the restricted brewery license issued pursuant  
7 to this subsection.

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

12 For the purposes of this subsection **【**, "sampling" means the  
13 selling at a nominal charge or the gratuitous offering of an open  
14 container not exceeding four ounces of any malt alcoholic beverage  
15 product. For the purposes of this subsection, "product"**】**:

16 "Off-premises special event" means a special event that takes  
17 place at a location other than on the licensed premises or the  
18 sidewalk, parking lot, or other area owned by the licensee that is  
19 adjacent to or adjoining the licensed premises and shall include, but  
20 not be limited to:

- 21 (1) beer, music, and arts festivals;
- 22 (2) civic events;
- 23 (3) foot races, bike races, and other athletic events;
- 24 (4) limited brewery anniversary celebrations; and
- 25 (5) holiday celebrations.

26 "On-premises special event" means an event that is open to the  
27 public and held on the licensed premises or the sidewalk, parking  
28 lot, or other area owned by the licensee that is adjacent to or  
29 adjoining the licensed premises and shall include, but not be limited  
30 to:

- 31 (1) private parties, birthdays, weddings, anniversaries, civic and  
32 political functions, professional and trade association events, class  
33 reunion and alumni events;
- 34 (2) trivia and quiz games;
- 35 (3) paint and sip;
- 36 (4) craftmaking;
- 37 (5) pop up shops;
- 38 (6) DJs, live music, and open mic;
- 39 (7) televised or streamed sporting events;
- 40 (8) educational events and seminars;
- 41 (9) movies and theatrical events;
- 42 (10) animal adoption, to the extent permitted by local ordinance;  
43 and
- 44 (11) yoga and exercise classes.

45 "Private party" means an event that is held on the licensed  
46 premises and closed to the general public, either by the  
47 establishment of a special area of the licensed premises that may be  
48 accessed only by the hosts or guests of the private party, or by

1 closure of the licensed premises to the public for the duration of the  
2 private party. Private parties shall include, but not be limited to,  
3 events held for birthdays, weddings, anniversaries, civic and  
4 political functions, professional and trade association events, class  
5 reunion and alumni events.

6 “Product” means any malt alcoholic beverage that is produced on  
7 the premises licensed under this subsection.

8 “Sampling” means any malt alcoholic beverage that is produced  
9 on the premises licensed under this subsection.

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

1 purposes of this subsection, "sampling" means the selling at a  
2 nominal charge or the gratuitous offering of an open container not  
3 exceeding one and one-half ounces of any wine.

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

16 Farm winery license. 2b. The holder of this license shall be  
17 entitled, subject to rules and regulations, to manufacture any  
18 fermented wines and fruit juices in a quantity to be expressed in  
19 said license, dependent upon the following fees and not in excess of  
20 50,000 gallons per year and to sell and distribute his products to  
21 wholesalers and retailers licensed in accordance with this chapter  
22 and to churches for religious purposes and to sell and distribute  
23 without this State to any persons pursuant to the laws of the places  
24 of such sale and distribution, and to maintain a warehouse and to  
25 sell at retail to consumers for consumption on or off the licensed  
26 premises and to offer samples for sampling purposes only. The  
27 license shall be issued only when the winery at which such  
28 fermented wines and fruit juices are manufactured is located and  
29 constructed upon a tract of land exclusively under the control of the  
30 licensee, provided that the licensee is actively engaged in growing  
31 and cultivating an area of not less than three acres on or adjacent to  
32 the winery premises and on which are growing grape vines or fruit  
33 to be processed into wine or fruit juice; and provided, further, that  
34 for the first five years of the operation of the winery such fermented  
35 wines and fruit juices shall be manufactured from at least 51  
36 percent grapes or fruit grown in the State and that thereafter they  
37 shall be manufactured from grapes or fruit grown in this State at  
38 least to the extent required for labeling as "New Jersey Wine" under  
39 the applicable federal laws and regulations. The containers of all  
40 wine sold to consumers by such licensee shall have affixed a label  
41 stating such information as shall be required by the rules and  
42 regulations of the Director of the Division of Alcoholic Beverage  
43 Control. The fee for this license shall be graduated as follows: to so  
44 manufacture between 30,000 and 50,000 gallons per annum, \$375;  
45 to so manufacture between 2,500 and 30,000 gallons per annum,  
46 \$250; to so manufacture between 1,000 and 2,500 gallons per  
47 annum, \$125; to so manufacture less than 1,000 gallons per annum,  
48 \$63. No farm winery license shall be held by the holder of a

1 plenary winery license or be situated on a premises licensed as a  
2 plenary winery.

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

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

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

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

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

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

45 Instructional winemaking facility license. 2d. The holder of this  
46 license shall be entitled, subject to rules and regulations, to instruct  
47 persons in and provide them with the opportunity to participate  
48 directly in the process of winemaking and to directly assist such

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

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

29 Out-of-State winery license. 2e. Provided that the applicant  
30 does not produce more than 250,000 gallons of wine per year, the  
31 holder of a valid winery license issued in any other state may make  
32 application to the director for this license. The holder of this  
33 license shall have the right to sell and distribute his products to  
34 wholesalers licensed in accordance with this chapter and to sell  
35 such wine at retail in original packages in 16 salesrooms apart from  
36 the winery premises for consumption on or off the premises at a fee  
37 of \$250 for each salesroom. Licensees shall not jointly control and  
38 operate salesrooms. The annual fee for this license shall be \$938.  
39 A copy of a current license issued by another state shall accompany  
40 the application. The holder of this license also shall have the right  
41 to sell and distribute his products to retailers licensed in accordance  
42 with this chapter, except that the holder of this license shall not use  
43 a common carrier for such distribution. The fee for this additional  
44 privilege shall be graduated as follows: a licensee who  
45 manufactures more than 150,000 gallons, but not in excess of  
46 250,000 gallons per annum, \$1,000; a licensee who manufactures  
47 more than 100,000 gallons, but not in excess of 150,000 gallons per  
48 annum, \$500; a licensee who manufactures more than 50,000



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

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

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

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

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

43 The holder of this license shall be entitled to manufacture hard  
44 cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons  
45 capacity per year. With respect to the sale and distribution of hard  
46 cider to a wholesaler, the licensee shall be subject to the same  
47 statutory and regulatory requirements as a brewer, and hard cider  
48 shall be considered a malt alcoholic beverage, for the purposes of

1 the "Malt Alcoholic Beverage Practices Act," P.L.2005, c.243  
2 (C.33:1-93.12 et seq.). The holder of this license shall not directly  
3 ship hard cider either within or without this State.

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

13 As used in this subsection:

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

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

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

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

37 Limited distillery license. 3b. The holder of this license shall be  
38 entitled, subject to rules and regulations, to manufacture and bottle  
39 any alcoholic beverages distilled from fruit juices and rectify,  
40 blend, treat, mix, compound with wine and add necessary  
41 sweetening and flavor to make cordial or liqueur, and to sell and  
42 distribute to wholesalers and retailers licensed in accordance with  
43 this chapter, and to sell and distribute without this State to any  
44 persons pursuant to the laws of the places of such sale and  
45 distribution and to warehouse these products. The fee for this  
46 license shall be \$3,750.

47 Supplementary limited distillery license. 3c. The holder of this  
48 license shall be entitled, subject to rules and regulations, to bottle

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

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

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

47 Rectifier and blender license. 4. The holder of this license shall  
48 be entitled, subject to rules and regulations, to rectify, blend, treat

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

8 Bonded warehouse bottling license. 5. The holder of this license  
9 shall be entitled, subject to rules and regulations, to bottle alcoholic  
10 beverages in bond on behalf of all persons authorized by federal and  
11 State law and regulations to withdraw alcoholic beverages from  
12 bond. The fee for this license shall be \$625. This license shall be  
13 issued only to persons holding permits to operate Internal Revenue  
14 bonded warehouses pursuant to the laws of the 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.2021, c.407, s.1)

20

21 2. This act shall take effect immediately.

22

23

24

#### STATEMENT

25

26 This bill permits limited breweries to hold an unlimited number  
27 of on-premises and off-premises special events, private parties, and  
28 social affairs annually.

29 Pursuant to the 2019 Special Ruling Authorizing Certain  
30 Activities by Holders of Limited Brewery Licenses, issued by the  
31 Acting Director of the Division of Alcoholic Beverage Control  
32 (ABC), limited brewery license holders only may hold a certain  
33 number of events annually. Under the ruling, in each calendar year,  
34 limited breweries are restricted to holding: 25 on-premises special  
35 events; 12 off-premises special events; 52 private parties; and 25  
36 social affair events.

37 This bill removes the restrictions and provides that limited  
38 breweries are permitted to hold an unlimited number of on-premises  
39 and off-premises special events, private parties, and social affair  
40 events.

41 The bill defines on-premises special events to include, but not be  
42 limited to: private parties; birthdays; weddings, anniversaries; civic  
43 and political functions; professional and trade association events;  
44 class reunion and alumni events; trivia and quiz games; paint and  
45 sip; craftmaking; pop up shops; DJs, live music, and open mic;  
46 televised or streamed sporting events; educational events and  
47 seminars; movies and theatrical events; animal adoption, to the  
48 extent permitted by local ordinance; and yoga and exercise classes.

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- 1 Off-premises special events are defined to include, but not be
- 2 limited to: beer, music, and arts festivals; civic events; foot races,
- 3 bike races, and other athletic events; limited brewery anniversary
- 4 celebrations; and holiday celebrations.