

# ASSEMBLY, No. 940

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman ROY FREIMAN**

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

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**SYNOPSIS**

Permits certain breweries, wineries, cideries, meaderies, and distilleries to sell each other's products on licensed premises.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the sale of certain alcoholic beverages 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 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 The holder of this license shall be entitled to sell at retail products  
40 produced by a holder of a plenary winery license who produces not  
41 more than 250,000 gallons per year, a farm winery license, cidery  
42 and meadery license, or a craft distillery license issued pursuant to  
43 this section to consumers on the licensed premises of the brewery  
44 for consumption off the premises. The holder of this license shall

**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 not sell food or operate a restaurant on the licensed premises. The  
2 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  
18 be entitled, subject to rules and regulations, to brew any malt  
19 alcoholic beverages in a quantity to be expressed in such license not  
20 in excess of 10,000 barrels of 31 gallons capacity per year.  
21 Notwithstanding the provisions of R.S.33:1-26, the director shall  
22 issue a restricted brewery license only to a person or an entity  
23 which has identical ownership to an entity which holds a plenary  
24 retail consumption license issued pursuant to R.S.33:1-12, provided  
25 that such plenary retail consumption license is operated in  
26 conjunction with a restaurant regularly and principally used for the  
27 purpose of providing meals to its customers and having adequate  
28 kitchen and dining room facilities, and that the licensed restaurant  
29 premises is immediately adjoining the premises licensed under this  
30 subsection. The holder of this license shall be entitled to sell or  
31 deliver the product to that restaurant premises. The holder of this  
32 license also shall be entitled to sell and distribute the product to  
33 wholesalers licensed in accordance with this chapter. The fee for  
34 this license shall be \$1,250, which fee shall entitle the holder to  
35 brew up to 1,000 barrels of 31 liquid gallons per annum. The  
36 licensee also shall pay an additional \$250 for every additional 1,000  
37 barrels of 31 fluid gallons produced. The fee shall be paid at the  
38 time of application for the license, and additional payments based  
39 on barrels produced shall be paid within 60 days following the  
40 expiration of the license term upon certification by the licensee of  
41 the actual gallons brewed during the license term. No more than 10  
42 restricted brewery licenses shall be issued to a person or entity  
43 which holds an interest in a plenary retail consumption license. If  
44 the governing body of the municipality in which the licensed  
45 premises will be located should file a written objection, the director  
46 shall hold a hearing and may issue the license only if the director  
47 finds that the issuance of the license will not be contrary to the  
48 public interest. All fees related to the issuance of both licenses shall

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

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

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

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

1 regulation, to any person within or without this State over 21 years  
2 of age for personal consumption and not for resale. A case of wine  
3 shall not exceed a maximum of nine liters. A copy of the original  
4 invoice shall be available for inspection by persons authorized to  
5 enforce the alcoholic beverage laws of this State for a minimum  
6 period of three years at the licensed premises of the winery. A  
7 holder of this license who produces not more than 250,000 gallons  
8 per year shall be entitled to sell at retail products produced by a  
9 holder of a limited brewery license, a farm winery license, cidery  
10 and meadery license, or a craft distillery license issued pursuant to  
11 this section to consumers on the licensed premises of the winery for  
12 consumption off the premises. For the purposes of this subsection,  
13 "sampling" means the selling at a nominal charge or the gratuitous  
14 offering of an open container not exceeding one and one-half  
15 ounces of any wine.

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

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

1 shall be manufactured from grapes or fruit grown in this State at  
2 least to the extent required for labeling as "New Jersey Wine" under  
3 the applicable federal laws and regulations. The containers of all  
4 wine sold to consumers by such licensee shall have affixed a label  
5 stating such information as shall be required by the rules and  
6 regulations of the Director of the Division of Alcoholic Beverage  
7 Control. The fee for this license shall be graduated as follows: to so  
8 manufacture between 30,000 and 50,000 gallons per annum, \$375;  
9 to so manufacture between 2,500 and 30,000 gallons per annum,  
10 \$250; to so manufacture between 1,000 and 2,500 gallons per  
11 annum, \$125; to so manufacture less than 1,000 gallons per annum,  
12 \$63. No farm winery license shall be held by the holder of a plenary  
13 winery license or be situated on a premises licensed as a plenary  
14 winery.

15 The holder of this license shall also have the right to sell and  
16 distribute his products to retailers licensed in accordance with this  
17 chapter, except that the holder of this license shall not use a  
18 common carrier for such distribution. The fee for this additional  
19 privilege shall be \$100. The holder of this license shall have the  
20 right to sell his products in original packages at retail to consumers  
21 in 15 salesrooms apart from the winery premises for consumption  
22 on or off the premises, and for sampling purposes for consumption  
23 on the premises, at a fee of \$250 for each salesroom. Licensees  
24 shall not jointly control and operate salesrooms. Additionally, the  
25 holder of this license may ship not more than 12 cases of wine per  
26 year, subject to regulation, to any person within or without this  
27 State over 21 years of age for personal consumption and not for  
28 resale. A case of wine shall not exceed a maximum of nine liters. A  
29 copy of the original invoice shall be available for inspection by  
30 persons authorized to enforce the alcoholic beverage laws of this  
31 State for a minimum period of three years at the licensed premises  
32 of the winery. The holder of this license shall be entitled to sell at  
33 retail products produced by a holder of a limited brewery license, a  
34 plenary winery license who produces not more than 250,000 gallons  
35 per year, cidery and meadery license, or a craft distillery license  
36 issued pursuant to this section to consumers on the licensed  
37 premises of the winery for consumption off the premises. For the  
38 purposes of this subsection, "sampling" means the selling at a  
39 nominal charge or the gratuitous offering of an open container not  
40 exceeding one and one-half ounces of any wine.

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

45 Unless otherwise indicated, for the purposes of this subsection,  
46 with respect to farm winery licenses, "manufacture" means the  
47 vinification, aging, storage, blending, clarification, stabilization and

1 bottling of wine or juice from New Jersey fruit to the extent  
2 required by this subsection.

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

5 Wine blending license. 2c. The holder of this license shall be  
6 entitled, subject to rules and regulations, to blend, treat, mix, and  
7 bottle fermented wines and fruit juices with non-alcoholic  
8 beverages, and to sell and distribute his products to wholesalers and  
9 retailers licensed in accordance with this chapter, and to sell and  
10 distribute without this State to any persons pursuant to the laws of  
11 the places of such sale and distribution, and to maintain a  
12 warehouse. The fee for this license shall be \$625.

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

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

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

47 Out-of-State winery license. 2e. Provided that the applicant  
48 does not produce more than 250,000 gallons of wine per year, the

1 holder of a valid winery license issued in any other state may make  
2 application to the director for this license. The holder of this license  
3 shall have the right to sell and distribute his products to wholesalers  
4 licensed in accordance with this chapter and to sell such wine at  
5 retail in original packages in 16 salesrooms apart from the winery  
6 premises for consumption on or off the premises at a fee of \$250 for  
7 each salesroom. Licensees shall not jointly control and operate  
8 salesrooms. The annual fee for this license shall be \$938. A copy  
9 of a current license issued by another state shall accompany the  
10 application. The holder of this license also shall have the right to  
11 sell and distribute his products to retailers licensed in accordance  
12 with this chapter, except that the holder of this license shall not use  
13 a common carrier for such distribution. The fee for this additional  
14 privilege shall be graduated as follows: a licensee who  
15 manufactures more than 150,000 gallons, but not in excess of  
16 250,000 gallons per annum, \$1,000; a licensee who manufactures  
17 more than 100,000 gallons, but not in excess of 150,000 gallons per  
18 annum, \$500; a licensee who manufactures more than 50,000  
19 gallons, but not in excess of 100,000 gallons per annum, \$250; a  
20 licensee who manufactures 50,000 gallons or less per annum, \$100.  
21 Additionally, the holder of this license may ship not more than 12  
22 cases of wine per year, subject to regulation, to any person within or  
23 without this State over 21 years of age for personal consumption  
24 and not for resale. A case of wine shall not exceed a maximum of  
25 nine liters. A copy of the original invoice shall be available for  
26 inspection by persons authorized to enforce the alcoholic beverage  
27 laws of this State for a minimum period of three years at the  
28 licensed premises of the winery.

29 The licensee shall collect from the customer the tax due on the  
30 sale pursuant to the "Sales and Use Tax Act," P.L.1966, c.30  
31 (C.54:32B-1 et seq.) and shall pay the tax due on the delivery of  
32 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"  
33 R.S.54:41-1 et seq. The Director of the Division of Taxation in the  
34 Department of the Treasury shall promulgate such rules and  
35 regulations necessary to effectuate the provisions of this paragraph,  
36 and may provide by regulation for the co-administration of the tax  
37 due on the delivery of alcoholic beverages pursuant to the  
38 "Alcoholic beverage tax law," R.S.54:41-1 et seq. with the  
39 administration of the tax due on the sale pursuant to the "Sales and  
40 Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).

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

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

47 Cidery and meadery license. 2f. The holder of this license shall  
48 be entitled, subject to rules and regulations, to manufacture hard



1 cider and mead and to sell and distribute these products to  
2 wholesalers and retailers licensed in accordance with this chapter,  
3 and to sell and distribute without this State to any persons pursuant  
4 to the laws of the places of such sale and distribution, and to  
5 maintain a warehouse. The holder of this license shall be entitled to  
6 sell these products at retail to consumers on the licensed premises  
7 for consumption on or off the premises and to offer samples for  
8 sampling purposes only. The holder of this license shall be  
9 permitted to offer for sale or make the gratuitous offering of  
10 packaged crackers, chips, nuts, and similar snacks to consumers, but  
11 shall not operate a restaurant on the licensed premises. The fee for  
12 this license shall be \$938.

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

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

31 The holder of this license shall be entitled to sell at retail  
32 products produced by a holder of a limited brewery license, a  
33 plenary winery license who produces not more than 250,000 gallons  
34 per year, farm winery license, or a craft distillery license issued  
35 pursuant to this section to consumers on the licensed premises of  
36 the cidery or meadery for consumption off the premises.

37 As used in this subsection:

38 "Hard cider" means a fermented alcoholic beverage derived  
39 primarily from apples, pears, apple juice concentrate and water, or  
40 pear juice concentrate and water, which may include spices, herbs,  
41 honey, or other flavoring, and which contains at least one half of  
42 one percent but less than eight and one half percent alcohol by  
43 volume.

44 "Mead" means an alcoholic beverage primarily made from  
45 honey, water, and yeast, and which may contain fruit, fruit juices,  
46 spices, or herbs added before or after fermentation has completed,  
47 except that the ratio of fermentable sugars from fruit or fruit juices

1 shall not exceed 49 percent of the total fermentable sugars used to  
2 produce mead.

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

6 Plenary distillery license. 3a. The holder of this license shall  
7 be entitled, subject to rules and regulations, to manufacture any  
8 distilled alcoholic beverages and rectify, blend, treat and mix, and  
9 to sell and distribute his products to wholesalers and retailers  
10 licensed in accordance with this chapter, and to sell and distribute  
11 without this State to any persons pursuant to the laws of the places  
12 of such sale and distribution, and to maintain a warehouse. The fee  
13 for this license shall be \$12,500.

14 Limited distillery license. 3b. The holder of this license shall be  
15 entitled, subject to rules and regulations, to manufacture and bottle  
16 any alcoholic beverages distilled from fruit juices and rectify,  
17 blend, treat, mix, compound with wine and add necessary  
18 sweetening and flavor to make cordial or liqueur, and to sell and  
19 distribute to wholesalers and retailers licensed in accordance with  
20 this chapter, and to sell and distribute without this State to any  
21 persons pursuant to the laws of the places of such sale and  
22 distribution and to warehouse these products. The fee for this  
23 license shall be \$3,750.

24 Supplementary limited distillery license. 3c. The holder of this  
25 license shall be entitled, subject to rules and regulations, to bottle  
26 and rebottle, in a quantity to be expressed in said license, dependent  
27 upon the following fees, alcoholic beverages distilled from fruit  
28 juices by such holder pursuant to a prior plenary or limited distillery  
29 license, and to sell and distribute his products to wholesalers and  
30 retailers licensed in accordance with this chapter, and to sell and  
31 distribute without this State to any persons pursuant to the laws of  
32 the places of such sale and distribution, and to maintain a  
33 warehouse. The fee for this license shall be graduated as follows:  
34 to so bottle and rebottle not more than 5,000 wine gallons per  
35 annum, \$313; to so bottle and rebottle not more than 10,000 wine  
36 gallons per annum, \$625; to so bottle and rebottle without limit as  
37 to amount, \$1,250.

38 Craft distillery license. 3d. The holder of this license shall be  
39 entitled, subject to rules and regulations, to manufacture not more  
40 than 20,000 gallons of distilled alcoholic beverages, to rectify,  
41 blend, treat and mix distilled alcoholic beverages, to sell and  
42 distribute this product to wholesalers and retailers licensed in  
43 accordance with this chapter, and to sell and distribute without this  
44 State to any persons pursuant to the laws of the places of such sale  
45 and distribution, and to maintain a warehouse. The holder of this  
46 license shall be entitled to sell this product at retail to consumers on  
47 the licensed premises of the distillery for consumption on the  
48 premises, but only in connection with a tour of the distillery, and

1 for consumption off the premises in a quantity of not more than five  
2 liters per person. In addition, the holder of this license may offer  
3 any person not more than three samples per calendar day for  
4 sampling purposes only. For the purposes of this subsection,  
5 "sampling" means the gratuitous offering of an open container not  
6 exceeding one-half ounce serving of distilled alcoholic beverage  
7 produced on the distillery premises. The holder of this license shall  
8 be entitled to sell at retail products produced by a holder of a  
9 limited brewery license, a plenary winery license who produces not  
10 more than 250,000 gallons per year, a farm winery license, or  
11 cidery and meadery license issued pursuant to this section to  
12 consumers on the licensed premises of the distillery for  
13 consumption off the premises. Nothing in this subsection shall be  
14 deemed to permit the direct shipment of distilled spirits either  
15 within or without this State.

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

24 Rectifier and blender license. 4. The holder of this license shall  
25 be entitled, subject to rules and regulations, to rectify, blend, treat  
26 and mix distilled alcoholic beverages, and to fortify, blend, and  
27 treat fermented alcoholic beverages, and prepare mixtures of  
28 alcoholic beverages, and to sell and distribute his products to  
29 wholesalers and retailers licensed in accordance with this chapter,  
30 and to sell and distribute without this State to any persons pursuant  
31 to the laws of the places of such sale and distribution, and to  
32 maintain a warehouse. The fee for this license shall be \$7,500.

33 Bonded warehouse bottling license. 5. The holder of this  
34 license shall be entitled, subject to rules and regulations, to bottle  
35 alcoholic beverages in bond on behalf of all persons authorized by  
36 federal and State law and regulations to withdraw alcoholic  
37 beverages from bond. The fee for this license shall be \$625. This  
38 license shall be issued only to persons holding permits to operate  
39 Internal Revenue bonded warehouses pursuant to the laws of the  
40 United States.

41 The provisions of section 21 of P.L.2003, c.117 amendatory of  
42 this section shall apply to licenses issued or transferred on or after  
43 July 1, 2003, and to license renewals commencing on or after July  
44 1, 2003.

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

46

47 2. This act shall take effect immediately.

STATEMENT

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2  
3       This bill permits certain New Jersey breweries, wineries,  
4 cideries, meaderies, and distilleries to sell each other's products on  
5 the licensed premises.  
6       Specifically, under the provisions of this bill, limited breweries,  
7 plenary wineries that produce less than 250,000 gallons per year,  
8 farm wineries, cideries, meaderies, and craft distilleries are  
9 permitted to sell each other's products for consumption off the  
10 licensed premises.