

# ASSEMBLY, No. 4357

## STATE OF NEW JERSEY

### 221st LEGISLATURE

INTRODUCED MAY 10, 2024

**Sponsored by:**

**Assemblyman ROY FREIMAN**

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

**Assemblyman CODY D. MILLER**

**District 4 (Atlantic, Camden and Gloucester)**

**Assemblyman CLINTON CALABRESE**

**District 36 (Bergen and Passaic)**

**SYNOPSIS**

Allows instructional wine making facilities to sell wine for on premises consumption at certain events and donate wine to non-profits and charitable organizations.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/10/2024)**

A4357 FREIMAN, MILLER

2

1 AN ACT concerning instructional wine making facilities 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 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

**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 or operate a restaurant on the licensed premises. The fee for this  
2 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

1 shall be paid in accordance with statutory law. The provisions of  
2 this subsection shall not be construed to limit or restrict the rights  
3 and privileges granted by the plenary retail consumption license  
4 held by the holder of the restricted brewery license issued pursuant  
5 to this 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 except as otherwise provided in this subsection for certain  
20 alternating proprietorship agreements, the holder of this license  
21 shall be entitled, subject to rules and regulations, to produce any  
22 fermented wines, and to blend, fortify and treat wines, and to sell  
23 and distribute his products to wholesalers licensed in accordance  
24 with this chapter and to churches for religious purposes, and to sell  
25 and distribute without this State to any persons pursuant to the laws  
26 of the places of such sale and distribution, and to maintain a  
27 warehouse, and to sell his products at retail to consumers on the  
28 licensed premises of the winery for consumption on or off the  
29 premises and to offer samples for sampling purposes only. The fee  
30 for this license shall be \$938. A holder of this license who  
31 produces not more than 250,000 gallons per year shall also have the  
32 right to sell and distribute his products to retailers licensed in  
33 accordance with this chapter, except that the holder of this license  
34 shall not use a common carrier for such distribution. The fee for  
35 this additional privilege shall be graduated as follows: a licensee  
36 who manufactures more than 150,000 gallons, but not in excess of  
37 250,000 gallons per annum, \$1,000; a licensee who manufactures  
38 more than 100,000 gallons, but not in excess of 150,000 gallons per  
39 annum, \$500; a licensee who manufactures more than 50,000  
40 gallons, but not in excess of 100,000 gallons per annum, \$250; a  
41 licensee who manufactures 50,000 gallons or less per annum, \$100.  
42 A holder of this license who produces not more than 250,000  
43 gallons per year shall have the right to sell such wine at retail in  
44 original packages in 15 salesrooms apart from the winery premises  
45 for consumption on or off the premises and for sampling purposes  
46 for consumption on the premises, at a fee of \$250 for each  
47 salesroom. Licensees shall not jointly control and operate  
48 salesrooms. Additionally, the holder of this license who produces

1 not more than 250,000 gallons per year may ship not more than 12  
2 cases of wine per year, subject to regulation, to any person within or  
3 without this State over 21 years of age for personal consumption  
4 and not for resale. A case of wine shall not exceed a maximum of  
5 nine liters. A copy of the original invoice shall be available for  
6 inspection by persons authorized to enforce the alcoholic beverage  
7 laws of this State for a minimum period of three years at the  
8 licensed premises of the winery. For the purposes of this  
9 subsection, "sampling" means the selling at a nominal charge or the  
10 gratuitous offering of an open container not exceeding one and one-  
11 half ounces of any wine.

12 A holder of this license who produces not more than 250,000  
13 gallons per year shall not own, either in whole or in part, or hold,  
14 either directly or indirectly, any interest in a winery that produces  
15 more than 250,000 gallons per year. In addition, a holder of this  
16 license who produces more than 250,000 gallons per year shall not  
17 own, either in whole or in part, or hold, either directly or indirectly,  
18 any interest in a winery that produces not more than 250,000  
19 gallons per year.

20 An applicant for a plenary winery license or the holder of a  
21 plenary winery license may apply to the director for approval to  
22 enter into an agreement with a host New Jersey winery to use the  
23 host's equipment and space in an alternating proprietorship for  
24 production of wine, provided that the applicant or holder has  
25 obtained approval of the proposed alternating proprietorship  
26 arrangement from the Alcohol and Tobacco Tax and Trade Bureau.  
27 The director shall approve the agreement if the director determines  
28 that the Alcohol and Tobacco Tax and Trade Bureau has approved  
29 the agreement and the agreement does not violate any applicable  
30 New Jersey alcohol licensing and taxation laws and related  
31 regulations or special rulings of the director. The director shall  
32 approve or deny the application no later than 180 days after receipt  
33 of the application, unless the applicant agrees to an extension.

34 An applicant for a plenary winery license who also applies to the  
35 director to enter into an alternating proprietorship agreement  
36 pursuant to this subsection shall, upon approval by the director of  
37 both applications, be permitted to grow and cultivate grapes or fruit  
38 used in the production of wine on at least three acres within a five-  
39 mile radius of the host winery premises.

40 For the purposes of this subsection, "product" means any wine  
41 that is produced, blended, fortified, or treated by the licensee on its  
42 licensed premises situated in the State of New Jersey. For the  
43 purposes of this subsection, "wine" shall include "hard cider" and  
44 "mead" as defined in this section.

45 Farm winery license. 2b. The holder of this license shall be  
46 entitled, subject to rules and regulations, to manufacture any  
47 fermented wines and fruit juices in a quantity to be expressed in  
48 said license, dependent upon the following fees and not in excess of

1 50,000 gallons per year and to sell and distribute his products to  
2 wholesalers and retailers licensed in accordance with this chapter  
3 and to churches for religious purposes and to sell and distribute  
4 without this State to any persons pursuant to the laws of the places  
5 of such sale and distribution, and to maintain a warehouse and to  
6 sell at retail to consumers for consumption on or off the licensed  
7 premises and to offer samples for sampling purposes only. The  
8 license shall be issued only when the winery at which such  
9 fermented wines and fruit juices are manufactured is located and  
10 constructed upon a tract of land exclusively under the control of the  
11 licensee, provided that the licensee is actively engaged in growing  
12 and cultivating an area of not less than three acres on or adjacent to  
13 the winery premises and on which are growing grape vines or fruit  
14 to be processed into wine or fruit juice, except in the case of certain  
15 alternating proprietorship agreements, as provided in this  
16 subsection; and provided, further, that for the first five years of the  
17 operation of the winery such fermented wines and fruit juices shall  
18 be manufactured from at least 51 percent grapes or fruit grown in  
19 the State and that thereafter they shall be manufactured from grapes  
20 or fruit grown in this State at least to the extent required for  
21 labeling as "New Jersey Wine" under the applicable federal laws  
22 and regulations. The containers of all wine sold to consumers by  
23 such licensee shall have affixed a label stating such information as  
24 shall be required by the rules and regulations of the Director of the  
25 Division of Alcoholic Beverage Control. The fee for this license  
26 shall be graduated as follows: to so manufacture between 30,000  
27 and 50,000 gallons per annum, \$375; to so manufacture between  
28 2,500 and 30,000 gallons per annum, \$250; to so manufacture  
29 between 1,000 and 2,500 gallons per annum, \$125; to so  
30 manufacture less than 1,000 gallons per annum, \$63. No farm  
31 winery license shall be held by the holder of a plenary winery  
32 license.

33 The holder of this license shall also have the right to sell and  
34 distribute his products to retailers licensed in accordance with this  
35 chapter, except that the holder of this license shall not use a  
36 common carrier for such distribution. The fee for this additional  
37 privilege shall be \$100. The holder of this license shall have the  
38 right to sell his products in original packages at retail to consumers  
39 in 15 salesrooms apart from the winery premises for consumption  
40 on or off the premises, and for sampling purposes for consumption  
41 on the premises, at a fee of \$250 for each salesroom. Licensees  
42 shall not jointly control and operate salesrooms. Additionally, the  
43 holder of this license may ship not more than 12 cases of wine per  
44 year, subject to regulation, to any person within or without this  
45 State over 21 years of age for personal consumption and not for  
46 resale. A case of wine shall not exceed a maximum of nine liters.  
47 A copy of the original invoice shall be available for inspection by  
48 persons authorized to enforce the alcoholic beverage laws of this

1 State for a minimum period of three years at the licensed premises  
2 of the winery. For the purposes of this subsection, "sampling"  
3 means the selling at a nominal charge or the gratuitous offering of  
4 an open container not exceeding one and one-half ounces of any  
5 wine.

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

10 An applicant for a farm winery license or the holder of a farm  
11 winery license may apply to the director for approval to enter into  
12 an agreement with a host New Jersey winery to use the host's  
13 equipment and space in an alternating proprietorship for production  
14 of wine, provided that the applicant or holder has obtained approval  
15 of the proposed alternating proprietorship arrangement from the  
16 Alcohol and Tobacco Tax and Trade Bureau. The director shall  
17 approve the agreement if the director determines that the Alcohol  
18 and Tobacco Tax and Trade Bureau has approved the agreement  
19 and the agreement does not violate any applicable New Jersey  
20 alcohol licensing and taxation laws and related regulations or  
21 special rulings of the director. The director shall approve or deny  
22 the application no later than 180 days after receipt of the  
23 application, unless the applicant agrees to an extension.

24 An applicant for a farm winery license who also applies to the  
25 director to enter into an alternating proprietorship agreement  
26 pursuant to this subsection shall, upon approval by the director of  
27 both applications, be permitted to grow and cultivate grapes or fruit  
28 used in the production of wine on at least three acres within a five-  
29 mile radius of the host winery premises.

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

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

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

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

47 Instructional winemaking facility license. 2d. The holder of this  
48 license shall be entitled, subject to rules and regulations, to instruct

1 persons in and provide them with the opportunity to participate  
2 directly in the process of winemaking and to directly assist such  
3 persons in the process of winemaking while in the process of  
4 instruction on the premises of the facility. The holder of this  
5 license also shall be entitled to manufacture wine on the premises  
6 not in excess of an amount of 10 percent of the wine produced  
7 annually on the premises of the facility **】, which shall be used only**  
8 **to replace quantities lost or discarded during the winemaking**  
9 **process】**, to maintain a warehouse, and to offer samples produced  
10 by persons who have received instruction in winemaking on the  
11 premises by the licensee for sampling purposes **【only】** on the  
12 licensed premises for the purpose of promoting winemaking for  
13 personal or household use or consumption.

14 Wine produced on the premises of an instructional winemaking  
15 facility shall be used, consumed, or disposed of on the facility's  
16 premises or distributed from the facility's premises to a person who  
17 has participated directly in the process of winemaking for the  
18 person's personal or household use or consumption. The holder of  
19 this license may sell mercantile items traditionally associated with  
20 winemaking and novelty wearing apparel identified with the name  
21 of the establishment licensed under the provisions of this section.

22 The holder of this license shall be entitled to serve wine  
23 manufactured on the premises for consumption at events held on the  
24 premises of the facility for the purpose of promoting winemaking  
25 for personal or household use or consumption. The holder of this  
26 license may use the licensed premises for an event or affair,  
27 including an event or affair at which a plenary retail consumption  
28 licensee serves alcoholic beverages in compliance with all  
29 applicable statutes and regulations promulgated by the director.

30 The holder of this license also shall be entitled, subject to rules  
31 and regulations, to donate wine to nonprofit or other charitable  
32 organizations exempt from taxation pursuant to section 501(c)(3) of  
33 the federal Internal Revenue Code of 1986 (26 U.S.C. s.501(c)(3))  
34 and to provide wine sampling at an event sponsored by the  
35 nonprofit or charitable organizations.

36 The fee for this license shall be \$1,000. For the purposes of this  
37 subsection, "sampling" means the selling at a nominal charge or  
38 gratuitous offering of an open container not exceeding one and one-  
39 half ounces of any wine.

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

42 Out-of-State winery license. 2e. Provided that the applicant  
43 does not produce more than 250,000 gallons of wine per year, the  
44 holder of a valid winery license issued in any other state may make  
45 application to the director for this license. The holder of this  
46 license shall have the right to sell and distribute his products to  
47 wholesalers licensed in accordance with this chapter and to sell  
48 such wine at retail in original packages in 16 salesrooms apart from



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

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

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

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

42 Cidery and meadery license. 2f. The holder of this license shall  
43 be entitled, subject to rules and regulations, to manufacture hard  
44 cider and mead and to sell and distribute these products to  
45 wholesalers and retailers licensed in accordance with this chapter,  
46 and to sell and distribute without this State to any persons pursuant  
47 to the laws of the places of such sale and distribution, and to  
48 maintain a warehouse. The holder of this license shall be entitled to

1 sell these products at retail to consumers on the licensed premises  
2 for consumption on or off the premises and to offer samples for  
3 sampling purposes only. The holder of this license shall be  
4 permitted to offer for sale or make the gratuitous offering of  
5 packaged crackers, chips, nuts, and similar snacks to consumers, but  
6 shall not operate a restaurant on the licensed premises. The fee for  
7 this license shall be \$938.

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

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

26 As used in this subsection:

27 "Hard cider" means a fermented alcoholic beverage derived  
28 primarily from apples, pears, apple juice concentrate and water, or  
29 pear juice concentrate and water, which may include spices, herbs,  
30 honey, or other flavoring, and which contains at least one half of  
31 one percent but less than eight and one half percent alcohol by  
32 volume.

33 "Mead" means an alcoholic beverage primarily made from  
34 honey, water, and yeast, and which may contain fruit, fruit juices,  
35 spices, or herbs added before or after fermentation has completed,  
36 except that the ratio of fermentable sugars from fruit or fruit juices  
37 shall not exceed 49 percent of the total fermentable sugars used to  
38 produce mead.

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

42 Plenary distillery license. 3a. The holder of this license shall be  
43 entitled, subject to rules and regulations, to manufacture any  
44 distilled alcoholic beverages and rectify, blend, treat and mix, and  
45 to sell and distribute his products to wholesalers and retailers  
46 licensed in accordance with this chapter, and to sell and distribute  
47 without this State to any persons pursuant to the laws of the places

1 of such sale and distribution, and to maintain a warehouse. The fee  
2 for this license shall be \$12,500.

3 Limited distillery license. 3b. The holder of this license shall be  
4 entitled, subject to rules and regulations, to manufacture and bottle  
5 any alcoholic beverages distilled from fruit juices and rectify,  
6 blend, treat, mix, compound with wine and add necessary  
7 sweetening and flavor to make cordial or liqueur, and to sell and  
8 distribute to wholesalers and retailers licensed in accordance with  
9 this chapter, and to sell and distribute without this State to any  
10 persons pursuant to the laws of the places of such sale and  
11 distribution and to warehouse these products. The fee for this  
12 license shall be \$3,750.

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

27 Craft distillery license. 3d. The holder of this license shall be  
28 entitled, subject to rules and regulations, to manufacture not more  
29 than 20,000 gallons of distilled alcoholic beverages, to rectify,  
30 blend, treat and mix distilled alcoholic beverages, to sell and  
31 distribute this product to wholesalers and retailers licensed in  
32 accordance with this chapter, and to sell and distribute without this  
33 State to any persons pursuant to the laws of the places of such sale  
34 and distribution, and to maintain a warehouse. The holder of this  
35 license shall be entitled to sell this product at retail to consumers on  
36 the licensed premises of the distillery for consumption on the  
37 premises, but only in connection with a tour of the distillery, and  
38 for consumption off the premises in a quantity of not more than five  
39 liters per person. In addition, the holder of this license may offer  
40 any person not more than three samples per calendar day for  
41 sampling purposes only. For the purposes of this subsection,  
42 "sampling" means the gratuitous offering of an open container not  
43 exceeding one-half ounce serving of distilled alcoholic beverage  
44 produced on the distillery premises. If the holder of this license  
45 holds a bonded warehouse bottling license issued pursuant to  
46 subsection 5 of this section, product manufactured in accordance  
47 with this subsection and transferred to a bonded warehouse for  
48 bottling and storage may be sold at retail and offered for sampling

1 on the licensed premises of the distillery by the holder of this  
2 license. Nothing in this subsection shall be deemed to permit the  
3 direct shipment of distilled spirits either within or without this  
4 State.

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

13 Rectifier and blender license. 4. The holder of this license shall  
14 be entitled, subject to rules and regulations, to rectify, blend, treat  
15 and mix distilled alcoholic beverages, and to fortify, blend, and  
16 treat fermented alcoholic beverages, and prepare mixtures of  
17 alcoholic beverages, and to sell and distribute his products to  
18 wholesalers and retailers licensed in accordance with this chapter,  
19 and to sell and distribute without this State to any persons pursuant  
20 to the laws of the places of such sale and distribution, and to  
21 maintain a warehouse. The fee for this license shall be \$7,500.

22 Bonded warehouse bottling license. 5. The holder of this license  
23 shall be entitled, subject to rules and regulations, to bottle alcoholic  
24 beverages in bond on behalf of all persons authorized by federal and  
25 State law and regulations to withdraw alcoholic beverages from  
26 bond. The fee for this license shall be \$625. This license shall be  
27 issued only to persons holding permits to operate Internal Revenue  
28 bonded warehouses pursuant to the laws of the United States.

29 The provisions of section 21 of P.L.2003, c.117 amendatory of  
30 this section shall apply to licenses issued or transferred on or after  
31 July 1, 2003, and to license renewals commencing on or after July  
32 1, 2003.

33 (cf: P.L.2023, c.141, s.1)

34

35 2. This act shall take effect immediately.

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37

38

#### STATEMENT

39

40 This bill allows the holder of an instructional winemaking  
41 facility license to serve wine for consumption at events on the  
42 licensed premises for the purpose of promoting winemaking for  
43 personal or household use or consumption. In addition, the bill  
44 allows these instructional winemaking facilities to donate wine to  
45 nonprofit or other charitable organizations.

46 Under current law, the holder of an instructional winemaking  
47 facility license is entitled to instruct persons and assist them in the  
48 wine making process. The licensed winemaking facility may hold

1 events, including an event or affair at which a plenary retail  
2 consumption licensee serves alcoholic beverages.

3 Also under current law, the holder of an instructional  
4 winemaking facility license may manufacture wine on the premises  
5 in an amount that does not exceed 10 percent of the wine annually  
6 produced on the premises, which may only be used to replace  
7 quantities lost or discarded during the winemaking process. The  
8 bill retains the 10 percent maximum but removes the requirement  
9 that wine manufactured on the premises is only to be used to  
10 replace quantities lost or discarded during the winemaking process.  
11 Under the bill the instructional winemaking facility would be  
12 allowed to serve wine manufactured on the premises during certain  
13 events. The instructional winemaking facility would be allowed to  
14 donate the wine to nonprofit or other charitable organizations and  
15 provide wine sampling at events sponsored by these organizations.  
16 The bill also allows instructional winemaking facilities to sell  
17 samples for a nominal charge.