

P.L. 2025, CHAPTER 376, *approved January 20, 2026*
Assembly, No. 5258 (*Second Reprint*)

1 AN ACT concerning certain winery licenses and amending R.S.33:1-
2 10.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹**[**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]** those products to
13 wholesalers and retailers licensed in accordance with this chapter,
14 and to sell and distribute without this State to any persons pursuant
15 to the laws of the places of such sale and distribution, and to
16 maintain a warehouse; provided, however, that the delivery of this
17 product by the holder of this license to retailers licensed under this
18 title shall be from inventory in a warehouse located in this State
19 which is operated under a plenary brewery license. The fee for this
20 license 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, or in a quantity of not more than 15.5 fluid gallons
36 per person for consumption off the premises, and to offer samples
37 for sampling purposes. The holder of this license shall not be
38 required to pay a fee to the division for the privilege of offering
39 samples pursuant to this section. If the holder of this license holds
40 a bonded warehouse bottling license issued pursuant to subsection 5
41 of this section, product brewed in accordance with this subsection

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AOF committee amendments adopted December 11, 2025.

²Senate SBA committee amendments adopted January 8, 2026.

1 and transferred to a bonded warehouse for bottling and storage may
2 be sold at retail and offered for sampling on the licensed premises
3 of the brewery by the holder of this license. The holder of this
4 license shall not sell food or operate a restaurant on the licensed
5 premises, but may coordinate with food vendors pursuant to section
6 1 of P.L.2023, c.290 (C.33:1-10b). The holder of this license shall
7 be entitled to engage in the privileges established pursuant to
8 section 1 of P.L.2023, c.290 (C.33:1-10b).

9 The fee for this license shall be graduated as follows:

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

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

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

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

18 For the purposes of this subsection, "sampling" means the selling
19 at a nominal charge or the gratuitous offering of an open container
20 not exceeding four ounces of any malt alcoholic beverage. For the
21 purposes of this subsection, "product" means any malt alcoholic
22 beverage that is produced on the premises licensed under this
23 subsection.

24 Restricted brewery license. 1c. The holder of this license shall
25 be entitled, subject to rules and regulations, to brew any malt
26 alcoholic beverages in a quantity to be expressed in such license not
27 in excess of 300,000 barrels of 31 gallons capacity per year.
28 Notwithstanding the provisions of R.S.33:1-26, the director shall
29 issue a restricted brewery license only to a person or an entity
30 which has identical ownership to an entity which holds a plenary
31 retail consumption license issued pursuant to R.S.33:1-12, provided
32 that such plenary retail consumption license is operated in
33 conjunction with a restaurant regularly and principally used for the
34 purpose of providing meals to its customers and having adequate
35 kitchen and dining room facilities, and that the licensed restaurant
36 premises is immediately adjoining the premises licensed under this
37 subsection. The holder of this license shall be entitled to sell or
38 deliver the product to that restaurant premises. The holder of this
39 license also shall be entitled to sell and distribute the product to
40 wholesalers and retailers licensed in accordance with this chapter
41 and to sell and distribute without this State to any persons pursuant
42 to the laws of those places of such sale and distribution, and to
43 maintain a warehouse; provided, however, that the delivery of this
44 product by the holder of this license to retailers licensed under this
45 title shall be from inventory in a warehouse located in this State
46 which is operated under a restricted brewery license. The amount of
47 malt alcoholic beverages that may be sold and distributed directly to
48 retailers pursuant to this subsection on an annual basis shall be not

1 more than 50 percent of the product manufactured in that year by
2 the holder of this license. The fee for this license shall be \$1,250,
3 which fee shall entitle the holder to brew up to 1,000 barrels of 31
4 liquid gallons per annum. The licensee also shall pay an additional
5 \$250 for every additional 1,000 barrels of 31 fluid gallons
6 produced. The fee shall be paid at the time of application for the
7 license, and additional payments based on barrels produced shall be
8 paid within 60 days following the expiration of the license term
9 upon certification by the licensee of the actual gallons brewed
10 during the license term. No more than 10 restricted brewery
11 licenses shall be issued to a person or entity which holds an interest
12 in a plenary retail consumption license. If the governing body of
13 the municipality in which the licensed premises will be located
14 should file a written objection, the director shall hold a hearing and
15 may issue the license only if the director finds that the issuance of
16 the license will not be contrary to the public interest. All fees
17 related to the issuance of both licenses shall be paid in accordance
18 with statutory law. The provisions of this subsection shall not be
19 construed to limit or restrict the rights and privileges granted by the
20 plenary retail consumption license held by the holder of the
21 restricted brewery license issued pursuant to this subsection.

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

26 For the purposes of this subsection, "sampling" means the selling
27 at a nominal charge or the gratuitous offering of an open container
28 not exceeding four ounces of any malt alcoholic beverage product.
29 For the purposes of this subsection, "product" means any malt
30 alcoholic beverage that is produced on the premises licensed under
31 this subsection.

32 Farm brewery license. 1d. The holder of this license shall be
33 entitled, subject to rules and regulations, to brew any malt alcoholic
34 beverages in a quantity to be expressed in the license not in excess
35 of 2,500 barrels of 31 fluid gallons per year and to sell products to
36 consumers for consumption off the licensed premises and to offer
37 samples for sampling purposes only. The license shall be issued
38 only when the brewery at which such malt alcoholic beverages are
39 brewed is located and constructed upon a tract of land exclusively
40 under the control of the licensee, the licensee is actively engaged in
41 farming on or adjacent to the brewery premises, and the malt
42 alcoholic beverages are substantially produced from hops or other
43 ingredients grown or cultivated on that tract of land. The holder of
44 this license shall not sell or offer food for consumption on the
45 licensed premises.

46 The fee for this license shall be graduated as follows: to
47 manufacture between 1,200 and 2,500 barrels per year, \$300; to
48 manufacture between 100 and 1,199 barrels per year, \$200; to

1 manufacture fewer than 100 barrels per year, \$100. An individual
2 or entity shall not hold more than one farm brewery license.

3 For purposes of this subsection, "sampling" means the selling at
4 a nominal charge or the gratuitous offering of an open container not
5 exceeding one and one-half ounces of a malt alcoholic beverage.

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

1 subsection, "sampling" means the selling at a nominal charge or the
2 gratuitous offering of an open container not exceeding one and one-
3 half ounces of any wine , and "by the glass" means the selling of an
4 individual portion of wine, or wine mixed with nonalcoholic
5 beverages, in an open container.

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. In addition, a holder of this
10 license who produces more than 250,000 gallons per year shall not
11 own, either in whole or in part, or hold, either directly or indirectly,
12 any interest in a winery that produces not more than 250,000
13 gallons per year.

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

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

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

39 Farm winery license. 2b. The holder of this license shall be
40 entitled, subject to rules and regulations, to manufacture any
41 fermented wines and fruit juices in a quantity to be expressed in
42 said license, dependent upon the following fees and not in excess of
43 50,000 gallons per year and to sell and distribute **[his]** those
44 products to wholesalers and retailers licensed in accordance with
45 this chapter and to churches for religious purposes and to sell and
46 distribute without this State to any persons pursuant to the laws of
47 the places of such sale and distribution, and to maintain a
48 warehouse and to sell at retail to consumers for consumption on or

1 off the licensed premises and to offer samples for sampling
2 purposes only. The license shall be issued only when the winery at
3 which such fermented wines and fruit juices are manufactured is
4 located and constructed upon a tract of land exclusively under the
5 control of the licensee, provided that the licensee is actively
6 engaged in growing and cultivating an area of not less than three
7 acres on or adjacent to the winery premises and on which are
8 growing grape vines or fruit to be processed into wine or fruit juice,
9 except in the case of certain alternating proprietorship agreements,
10 as provided in this subsection; and provided, further, that for the
11 first five years of the operation of the winery such fermented wines
12 and fruit juices shall be manufactured from at least 51 percent
13 grapes or fruit grown in the State and that thereafter they shall be
14 manufactured from grapes or fruit grown in this State at least to the
15 extent required for labeling as "New Jersey Wine" under the
16 applicable federal laws and regulations. The containers of all wine
17 sold to consumers by such licensee shall have affixed a label stating
18 such information as shall be required by the rules and regulations of
19 the Director of the Division of Alcoholic Beverage Control. The
20 fee for this license shall be graduated as follows: to so manufacture
21 between 30,000 and 50,000 gallons per annum, \$375; to so
22 manufacture between 2,500 and 30,000 gallons per annum, \$250; to
23 so manufacture between 1,000 and 2,500 gallons per annum, \$125;
24 to so manufacture less than 1,000 gallons per annum, \$63. No farm
25 winery license shall be held by the holder of a plenary winery
26 license.

27 The holder of this license shall also have the right to sell and
28 distribute **[his]** those products to retailers licensed in accordance
29 with this chapter, except that the holder of this license shall not use
30 a common carrier for such distribution. The fee for this additional
31 privilege shall be \$100. The holder of this license shall have the
32 right to sell **[his]** those products in original packages at retail to
33 consumers in 15 salesrooms apart from the winery premises for
34 consumption on or off the premises, **[and]**, for sampling purposes
35 for consumption on the premises, and, provided the salesroom is not
36 located on the premises of a restaurant, by the glass at retail for
37 consumption on the premises, at a fee of \$250 for each salesroom.
38 Licensees shall not jointly control and operate salesrooms.
39 Additionally, the holder of this license may ship not more than 12
40 cases of wine per year, subject to regulation, to any person within or
41 without this State over 21 years of age for personal consumption
42 and not for resale. A case of wine shall not exceed a maximum of
43 nine liters. A copy of the original invoice shall be available for
44 inspection by persons authorized to enforce the alcoholic beverage
45 laws of this State for a minimum period of three years at the
46 licensed premises of the winery. For the purposes of this
47 subsection, "sampling" means the selling at a nominal charge or the
48 gratuitous offering of an open container not exceeding one and one-

1 half ounces of any wine , and “by the glass” means the selling of an
2 individual portion of an wine, or wine mixed with nonalcoholic
3 beverages, in an open container.

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.

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

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

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】** those products to
39 wholesalers and retailers licensed in accordance with this chapter,
40 and to sell and distribute without this State to any persons pursuant
41 to the laws of the places of such sale and distribution, and to
42 maintain a 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** those
34 products to wholesalers licensed in accordance with this chapter and
35 to sell such wine at retail in original packages in 16 salesrooms
36 apart from the winery premises for consumption on or off the
37 premises, and, provided the salesroom is not located on the
38 premises of a restaurant, by the glass at retail for consumption on
39 the premises, at a fee of \$250 for each salesroom. Licensees shall
40 not jointly control and operate salesrooms. The annual fee for this
41 license shall be \$938. A copy of a current license issued by another
42 state shall accompany the application. The holder of this license
43 also shall have the right to sell and distribute **his** those products
44 to retailers licensed in accordance with this chapter, except that the
45 holder of this license shall not use a common carrier for such
46 distribution. The fee for this additional privilege shall be graduated
47 as follows: a licensee who manufactures more than 150,000 gallons,
48 but not in excess of 250,000 gallons per annum, \$1,000; a licensee

1 who manufactures more than 100,000 gallons, but not in excess of
2 150,000 gallons per annum, \$500; a licensee who manufactures
3 more than 50,000 gallons, but not in excess of 100,000 gallons per
4 annum, \$250; a licensee who manufactures 50,000 gallons or less
5 per annum, \$100. Additionally, the holder of this license may ship
6 not more than 12 cases of wine per year, subject to regulation, to
7 any person within or without this State over 21 years of age for
8 personal consumption and not for resale. A case of wine shall not
9 exceed a maximum of nine liters. A copy of the original invoice
10 shall be available for inspection by persons authorized to enforce
11 the alcoholic beverage laws of this State for a minimum period of
12 three years at the licensed premises of the winery.

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

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

29 For the purposes of this subsection, "wine" shall include "hard
30 cider" and "mead" as defined in this section , and "by the glass"
31 means the selling of an individual portion of wine, or wine mixed
32 with nonalcoholic beverages, in an open container.

33 Cidery and meadery license. 2f. The holder of this license shall
34 be entitled, subject to rules and regulations, to manufacture hard
35 cider and mead and to sell and distribute these products to
36 wholesalers and retailers licensed in accordance with this chapter,
37 and to sell and distribute without this State to any persons pursuant
38 to the laws of the places of such sale and distribution, and to
39 maintain a warehouse. The holder of this license shall be entitled to
40 sell these products at retail to consumers on the licensed premises
41 for consumption on or off the premises and to offer samples for
42 sampling purposes only. The holder of this license shall be
43 permitted to offer for sale or make the gratuitous offering of
44 packaged crackers, chips, nuts, and similar snacks to consumers.
45 The holder of this license shall not operate a restaurant on the
46 licensed premises, but may coordinate with food vendors pursuant
47 to section 1 of P.L.2023, c.290 (C.33:1-10b). The holder of this
48 license shall be entitled to engage in the privileges established

1 pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b). The fee for
2 this license shall be \$938.

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

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

21 As used in this subsection:

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

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

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

37 Plenary distillery license. 3a. The holder of this license shall be
38 entitled, subject to rules and regulations, to manufacture any
39 distilled alcoholic beverages and rectify, blend, treat and mix, and
40 to sell and distribute **[his]** those 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 \$12,500.

45 Limited distillery license. 3b. The holder of this license shall be
46 entitled, subject to rules and regulations, to manufacture and bottle
47 any alcoholic beverages distilled from fruit juices and rectify,
48 blend, treat, mix, compound with wine and add necessary

1 sweetening and flavor to make cordial or liqueur, and to sell and
2 distribute to wholesalers and retailers licensed in accordance with
3 this chapter, and to sell and distribute without this State to any
4 persons pursuant to the laws of the places of such sale and
5 distribution and to warehouse these products. The fee for this
6 license shall be \$3,750.

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

21 Craft distillery license. 3d. The holder of this license shall be
22 entitled, subject to rules and regulations, to manufacture not more
23 than 20,000 gallons of distilled alcoholic beverages, to rectify,
24 blend, treat and mix distilled alcoholic beverages, to sell and
25 distribute this product to wholesalers and retailers licensed in
26 accordance with this chapter, and to sell and distribute without this
27 State to any persons pursuant to the laws of the places of such sale
28 and distribution, and to maintain a warehouse. The holder of this
29 license shall be entitled to sell this product at retail to consumers on
30 the licensed premises of the distillery for consumption on the
31 premises and for consumption off the premises in a quantity of not
32 more than five liters per person. In addition, the holder of this
33 license may offer any person not more than three samples per
34 calendar day for sampling purposes only. For the purposes of this
35 subsection, "sampling" means the gratuitous offering of an open
36 container not exceeding one-half ounce serving of distilled
37 alcoholic beverage produced on the distillery premises. If the holder
38 of this license holds a bonded warehouse bottling license issued
39 pursuant to subsection 5 of this section, product manufactured in
40 accordance with this subsection and transferred to a bonded
41 warehouse for bottling and storage may be sold at retail and offered
42 for sampling on the licensed premises of the distillery by the holder
43 of this license. Nothing in this subsection shall be deemed to
44 permit the direct shipment of distilled spirits either within or
45 without this State. The holder of this license shall be entitled to
46 engage in the privileges established pursuant to section 1 of
47 P.L.2023, c.290 (C.33:1-10b).

1 The holder of this license shall not sell food or operate a
2 restaurant on the licensed premises, but may coordinate with food
3 vendors pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b). A
4 holder of this license who certifies that not less than 51 percent of
5 the raw materials used in the production of distilled alcoholic
6 beverages under this section are grown in this State or purchased
7 from providers located in this State may, consistent with all
8 applicable federal laws and regulations, label these distilled
9 alcoholic beverages as "New Jersey Distilled." The fee for this
10 license shall be \$938.

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

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

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

31 (cf: P.L.2023, c.290, s.2)**】**¹

32

33 ¹1. R.S.33:1-10 is amended to read as follows:

34 33:1-10. Class A licenses shall be subdivided and classified as
35 follows:

36 Plenary brewery license. 1a. The holder of this license shall be
37 entitled, subject to rules and regulations, to brew any malt alcoholic
38 beverages and to sell and distribute **his** those products to
39 wholesalers and retailers licensed in accordance with this chapter,
40 and to sell and distribute without this State to any persons pursuant
41 to the laws of the places of such sale and distribution, and to
42 maintain a warehouse, provided, however, that the delivery of this
43 product by the holder of this license to retailers licensed under this
44 title shall be from inventory in a warehouse located in this State
45 which is operated under a plenary brewery license. The fee for this
46 license shall be \$10,625.

47 Limited brewery license. 1b. The holder of this license shall be
48 entitled, subject to rules and regulations, to brew any malt alcoholic

1 beverages in a quantity to be expressed in said license, dependent
2 upon the following fees and not in excess of 300,000 barrels of 31
3 fluid gallons capacity per year and to sell and distribute this product
4 to wholesalers and retailers licensed in accordance with this
5 chapter, and to sell and distribute without this State to any persons
6 pursuant to the laws of the places of such sale and distribution, and
7 to maintain a warehouse, provided, however, that the delivery of
8 this product by the holder of this license to retailers licensed under
9 this title shall be from inventory in a warehouse located in this State
10 which is operated under a limited brewery license. The holder of
11 this license shall be entitled to sell this product at retail to
12 consumers on the licensed premises of the brewery for consumption
13 on the premises, or in a quantity of not more than 15.5 fluid gallons
14 per person for consumption off the premises, and to offer samples
15 for sampling purposes. The holder of this license shall not be
16 required to pay a fee to the division for the privilege of offering
17 samples pursuant to this section. If the holder of this license holds
18 a bonded warehouse bottling license issued pursuant to subsection 5
19 of this section, product brewed in accordance with this subsection
20 and transferred to a bonded warehouse for bottling and storage may
21 be sold at retail and offered for sampling on the licensed premises
22 of the brewery by the holder of this license. The holder of this
23 license shall not sell food or operate a restaurant on the licensed
24 premises, but may coordinate with food vendors pursuant to section
25 1 of P.L.2023, c.290 (C.33:1-10b). The holder of this license shall
26 be entitled to engage in the privileges established pursuant to
27 section 1 of P.L.2023, c.290 (C.33:1-10b).

28 The fee for this license shall be graduated as follows:

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

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

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

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

37 For the purposes of this subsection, "sampling" means the selling
38 at a nominal charge or the gratuitous offering of an open container
39 not exceeding four ounces of any malt alcoholic beverage. For the
40 purposes of this subsection, "product" means any malt alcoholic
41 beverage that is produced on the premises licensed under this
42 subsection.

43 Restricted brewery license. 1c. The holder of this license shall
44 be entitled, subject to rules and regulations, to brew any malt
45 alcoholic beverages in a quantity to be expressed in such license not
46 in excess of 300,000 barrels of 31 gallons capacity per year.
47 Notwithstanding the provisions of R.S.33:1-26, the director shall
48 issue a restricted brewery license only to a person or an entity

1 which has identical ownership to an entity which holds a plenary
2 retail consumption license issued pursuant to R.S.33:1-12, provided
3 that such plenary retail consumption license is operated in
4 conjunction with a restaurant regularly and principally used for the
5 purpose of providing meals to its customers and having adequate
6 kitchen and dining room facilities and that the licensed restaurant
7 premises is immediately adjoining the premises licensed under this
8 subsection. The holder of this license shall be entitled to sell or
9 deliver the product to that restaurant premises. The holder of this
10 license also shall be entitled to sell and distribute the product to
11 wholesalers and retailers licensed in accordance with this chapter
12 and to sell and distribute without this State to any persons pursuant
13 to the laws of those places of such sale and distribution and to
14 maintain a warehouse, provided, however, that the delivery of this
15 product by the holder of this license to retailers licensed under this
16 title shall be from inventory in a warehouse located in this State
17 which is operated under a restricted brewery license. The amount
18 of malt alcoholic beverages that may be sold and distributed
19 directly to retailers pursuant to this subsection on an annual basis
20 shall be not more than 50 percent of the product manufactured in
21 that year by the holder of this license. The fee for this license shall
22 be \$1,250, which fee shall entitle the holder to brew up to 1,000
23 barrels of 31 liquid gallons per annum. The licensee also shall pay
24 an additional \$250 for every additional 1,000 barrels of 31 fluid
25 gallons produced. The fee shall be paid at the time of application
26 for the license, and additional payments based on barrels produced
27 shall be paid within 60 days following the expiration of the license
28 term upon certification by the licensee of the actual gallons brewed
29 during the license term. No more than 10 restricted brewery
30 licenses shall be issued to a person or entity which holds an interest
31 in a plenary retail consumption license. If the governing body of
32 the municipality in which the licensed premises will be located
33 should file a written objection, the director shall hold a hearing and
34 may issue the license only if the director finds that the issuance of
35 the license will not be contrary to the public interest. All fees
36 related to the issuance of both licenses shall be paid in accordance
37 with statutory law. The provisions of this subsection shall not be
38 construed to limit or restrict the rights and privileges granted by the
39 plenary retail consumption license held by the holder of the
40 restricted brewery license issued pursuant to this subsection.

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

45 For the purposes of this subsection, "sampling" means the selling
46 at a nominal charge or the gratuitous offering of an open container
47 not exceeding four ounces of any malt alcoholic beverage product.
48 For the purposes of this subsection, "product" means any malt

1 alcoholic beverage that is produced on the premises licensed under
2 this subsection.

3 Farm brewery license. 1d. The holder of this license shall be
4 entitled, subject to rules and regulations, to brew any malt alcoholic
5 beverages in a quantity to be expressed in the license not in excess
6 of 2,500 barrels of 31 fluid gallons per year and to sell products to
7 consumers for consumption off the licensed premises and to offer
8 samples for sampling purposes only. The license shall be issued
9 only when the brewery at which such malt alcoholic beverages are
10 brewed is located and constructed upon a tract of land exclusively
11 under the control of the licensee, the licensee is actively engaged in
12 farming on or adjacent to the brewery premises, and the malt
13 alcoholic beverages are substantially produced from hops or other
14 ingredients grown or cultivated on that tract of land. The holder of
15 this license shall not sell or offer food for consumption on the
16 licensed premises.

17 The fee for this license shall be graduated as follows: to
18 manufacture between 1,200 and 2,500 barrels per year, \$300; to
19 manufacture between 100 and 1,199 barrels per year, \$200; to
20 manufacture fewer than 100 barrels per year, \$100. An individual
21 or entity shall not hold more than one farm brewery license.

22 For purposes of this subsection, "sampling" means the selling at
23 a nominal charge or the gratuitous offering of an open container not
24 exceeding one and one-half ounces of a malt alcoholic beverage.

25 Plenary winery license. 2a. Provided that the holder is engaged
26 in growing and cultivating grapes or fruit used in the production of
27 wine on at least three acres on, or adjacent to, the winery premises,
28 except as otherwise provided in this subsection for certain
29 alternating proprietorship agreements, the holder of this license
30 shall be entitled, subject to rules and regulations, to produce any
31 fermented wines, and to blend, fortify, and treat wines, and to sell
32 and distribute **his** those products to wholesalers licensed in
33 accordance with this chapter and to churches for religious purposes,
34 and to sell and distribute without this State to any persons pursuant
35 to the laws of the places of such sale and distribution, and to
36 maintain a warehouse, and to sell **his** those products at retail to
37 consumers on the licensed premises of the winery for consumption
38 on or off the premises and to offer samples for sampling purposes
39 only. The fee for this license shall be \$938. A holder of this
40 license who produces not more than 250,000 gallons per year shall
41 also have the right to sell and distribute **his** those products to
42 retailers licensed in accordance with this chapter, except that the
43 holder of this license shall not use a common carrier for such
44 distribution. The fee for this additional privilege shall be graduated
45 as follows: a licensee who manufactures more than 150,000 gallons,
46 but not in excess of 250,000 gallons per annum, \$1,000; a licensee
47 who manufactures more than 100,000 gallons, but not in excess of
48 150,000 gallons per annum, \$500; a licensee who manufactures

1 more than 50,000 gallons, but not in excess of 100,000 gallons per
2 annum, \$250; a licensee who manufactures 50,000 gallons or less
3 per annum, \$100. A holder of this license who produces not more
4 than 250,000 gallons per year shall have the right to sell such wine
5 at retail in original packages in 15 salesrooms apart from the winery
6 premises for consumption on or off the premises ~~and~~, for
7 sampling purposes for consumption on the premises, and, provided
8 the salesroom is not located on the premises of a restaurant, by the
9 glass for consumption on the premises, at a fee of \$250 for each
10 salesroom. Licensees shall not jointly control and operate
11 salesrooms. Additionally, the holder of this license who produces
12 not more than 250,000 gallons per year may ship not more than 12
13 cases of wine per year, subject to regulation, to any person within or
14 without this State over 21 years of age for personal consumption
15 and not for resale. A case of wine shall not exceed a maximum of
16 nine liters. A copy of the original invoice shall be available for
17 inspection by persons authorized to enforce the alcoholic beverage
18 laws of this State for a minimum period of three years at the
19 licensed premises of the winery. For the purposes of this
20 subsection, "sampling" means the selling at a nominal charge or the
21 gratuitous offering of an open container not exceeding one and one-
22 half ounces of any wine, and "by the glass" means the selling of an
23 individual portion of wine, or wine mixed with nonalcoholic
24 beverages, in an open container.

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

33 An applicant for a plenary winery license or the holder of a
34 plenary winery license may apply to the director for approval to
35 enter into an agreement with a host New Jersey winery to use the
36 host's equipment and space in an alternating proprietorship for
37 production of wine, provided that the applicant or holder has
38 obtained approval of the proposed alternating proprietorship
39 arrangement from the Alcohol and Tobacco Tax and Trade Bureau.
40 The director shall approve the agreement if the director determines
41 that the Alcohol and Tobacco Tax and Trade Bureau has approved
42 the agreement and the agreement does not violate any applicable
43 New Jersey alcohol licensing and taxation laws and related
44 regulations or special rulings of the director. The director shall
45 approve or deny the application no later than 180 days after receipt
46 of the application, unless the applicant agrees to an extension.

47 An applicant for a plenary winery license who also applies to the
48 director to enter into an alternating proprietorship agreement

1 pursuant to this subsection shall, upon approval by the director of
2 both applications, be permitted to grow and cultivate grapes or fruit
3 used in the production of wine on at least three acres within a five-
4 mile radius of the host winery premises.

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

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

46 The holder of this license shall also have the right to sell and
47 distribute **[his]** those products to retailers licensed in accordance
48 with this chapter, except that the holder of this license shall not use

1 a common carrier for such distribution. The fee for this additional
2 privilege shall be \$100. The holder of this license shall have the
3 right to sell ~~his~~ those products in original packages at retail to
4 consumers in 15 salesrooms apart from the winery premises for
5 consumption on or off the premises ~~and~~, for sampling purposes
6 for consumption on the premises , and, provided the salesroom is
7 not located on the premises of a restaurant, by the glass at retail for
8 consumption on the premises, at a fee of \$250 for each salesroom.
9 Licensees shall not jointly control and operate salesrooms.
10 Additionally, the holder of this license may ship not more than 12
11 cases of wine per year, subject to regulation, to any person within or
12 without this State over 21 years of age for personal consumption
13 and not for resale. A case of wine shall not exceed a maximum of
14 nine liters. A copy of the original invoice shall be available for
15 inspection by persons authorized to enforce the alcoholic beverage
16 laws of this State for a minimum period of three years at the
17 licensed premises of the winery. For the purposes of this
18 subsection, "sampling" means the selling at a nominal charge or the
19 gratuitous offering of an open container not exceeding one and one-
20 half ounces of any wine, and "by the glass" means the selling of an
21 individual portion of ²an² wine, or wine mixed with nonalcoholic
22 beverages, in an open container.

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

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

47 Unless otherwise indicated, for the purposes of this subsection,
48 with respect to farm winery licenses, "manufacture" means the

1 vinification, aging, storage, blending, clarification, stabilization,
2 and bottling of wine or juice from New Jersey fruit to the extent
3 required by this subsection.

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

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

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

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

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

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

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

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

1 For the purposes of this subsection, "wine" shall include "hard
2 cider" and "mead" as defined in this section ²], and "by the glass"
3 means the selling of an individual portion of wine, or wine mixed
4 with nonalcoholic beverages, in an open container]² .

5 Cidery and meadery license. 2f. The holder of this license shall
6 be entitled, subject to rules and regulations, to manufacture hard
7 cider and mead and to sell and distribute these products to
8 wholesalers and retailers licensed in accordance with this chapter,
9 and to sell and distribute without this State to any persons pursuant
10 to the laws of the places of such sale and distribution, and to
11 maintain a warehouse. The holder of this license shall be entitled to
12 sell these products at retail to consumers on the licensed premises
13 for consumption on or off the premises and to offer samples for
14 sampling purposes only. The holder of this license shall be
15 permitted to offer for sale or make the gratuitous offering of
16 packaged crackers, chips, nuts, and similar snacks to consumers.
17 The holder of this license shall not operate a restaurant on the
18 licensed premises, but may coordinate with food vendors pursuant
19 to section 1 of P.L.2023, c.290 (C.33:1-10b). The holder of this
20 license shall be entitled to engage in the privileges established
21 pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b). The fee for
22 this license shall be \$938.

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

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

41 As used in this subsection:

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

1 "Mead" means an alcoholic beverage primarily made from
2 honey, water, and yeast, and which may contain fruit, fruit juices,
3 spices, or herbs added before or after fermentation has completed,
4 except that the ratio of fermentable sugars from fruit or fruit juices
5 shall not exceed 49 percent of the total fermentable sugars used to
6 produce mead.

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

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

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

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

42 Craft distillery license. 3d. The holder of this license shall be
43 entitled, subject to rules and regulations, to manufacture not more
44 than 20,000 gallons of distilled alcoholic beverages, to rectify,
45 blend, treat, and mix distilled alcoholic beverages, to sell and
46 distribute this product to wholesalers and retailers licensed in
47 accordance with this chapter, and to sell and distribute without this
48 State to any persons pursuant to the laws of the places of such sale

1 and distribution, and to maintain a warehouse. The holder of this
2 license shall be entitled to sell this product at retail to consumers on
3 the licensed premises of the distillery for consumption on the
4 premises and for consumption off the premises in a quantity of not
5 more than five liters per person. In addition, the holder of this
6 license may offer any person not more than three samples per
7 calendar day for sampling purposes only. For the purposes of this
8 subsection, "sampling" means the gratuitous offering of an open
9 container not exceeding one-half ounce serving of distilled
10 alcoholic beverage produced on the distillery premises. If the
11 holder of this license holds a bonded warehouse bottling license
12 issued pursuant to subsection 5 of this section, product
13 manufactured in accordance with this subsection and transferred to
14 a bonded warehouse for bottling and storage may be sold at retail
15 and offered for sampling on the licensed premises of the distillery
16 by the holder of this license. Nothing in this subsection shall be
17 deemed to permit the direct shipment of distilled spirits either
18 within or without this State. The holder of this license shall be
19 entitled to engage in the privileges established pursuant to section 1
20 of P.L.2023, c.290 (C.33:1-10b).

21 The holder of this license shall not sell food or operate a
22 restaurant on the licensed premises, but may coordinate with food
23 vendors pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b). A
24 holder of this license who certifies that not less than 51 percent of
25 the raw materials used in the production of distilled alcoholic
26 beverages under this section are grown in this State or purchased
27 from providers located in this State may, consistent with all
28 applicable federal laws and regulations, label these distilled
29 alcoholic beverages as "New Jersey Distilled." The fee for this
30 license shall be \$938.

31 Historic distillery license. 3e. A historic distillery license shall
32 be issued for use in connection with a premises that is included in
33 the New Jersey Register of Historic Places established pursuant to
34 P.L.1970, c.268 (C.13:1B-15.128 et seq.). The holder of this
35 license shall be entitled, subject to rules and regulations, to
36 manufacture any distilled alcoholic beverages, to rectify, blend,
37 treat, and mix distilled alcoholic beverages, to sell and distribute
38 this product to wholesalers and retailers licensed in accordance with
39 this chapter, and to sell and distribute without this State to any
40 persons pursuant to the laws of the places of such sale and
41 distribution, and to maintain a warehouse. The holder of this
42 license shall be entitled to sell this product at retail to consumers on
43 the licensed premises of the distillery for consumption on the
44 premises. The holder of this license also shall be entitled to sell this
45 product for consumption off the premises in a quantity of not more
46 than five liters per person.

47 In addition, the holder of this license may offer any person not
48 more than three samples per calendar day for sampling purposes

only. For the purposes of this subsection, "sampling" means the gratuitous offering of an open container not exceeding one-half ounce serving of distilled alcoholic beverage produced on the distillery premises. If the holder of this license holds a bonded warehouse bottling license issued pursuant to subsection 5 of this section, products manufactured in accordance with this subsection and transferred to a bonded warehouse for bottling and storage may be sold at retail and offered for sampling on the licensed premises of the distillery by the holder of this license. Nothing in this subsection shall be deemed to permit the direct shipment of distilled spirits either within or without this State. The holder of this license shall be entitled to engage in the privileges established pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b).

The holder of this license shall not sell food or operate a restaurant on the licensed premises, but may coordinate with food vendors pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b). The fee for this license shall be \$1,000.

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

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

The provisions of section 21 of P.L.2003, c.117 amendatory of this section shall apply to licenses issued or transferred on or after July 1, 2003, and to license renewals commencing on or after July 1, 2003.¹

(cf: P.L.2025, c.97, s.2)

2. This act shall take effect immediately.

Permits certain wineries to sell their products by the glass for consumption in licensed salesrooms.