

[Second Reprint]

## ASSEMBLY, No. 1662

# STATE OF NEW JERSEY

## 222nd LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2026 SESSION

**Sponsored by:**

**Assemblywoman MITCHELLE DRULIS**

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

**Assemblyman ROY FREIMAN**

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

**Assemblyman CODY D. MILLER**

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

**Co-Sponsored by:**

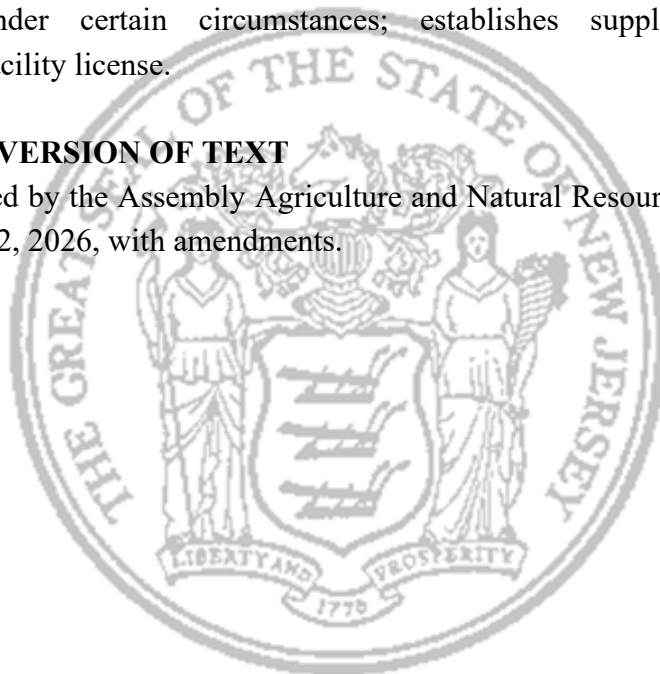
**Assemblywoman Reynolds-Jackson, Assemblyman Sauickie,  
Assemblywomen Simmons and Kane**

### SYNOPSIS

Permits certain winery license holders to sell wine produced by other winery licensees under certain circumstances; establishes supplemental wine production facility license.

### CURRENT VERSION OF TEXT

As reported by the Assembly Agriculture and Natural Resources Committee on October 22, 2026, with amendments.



(Sponsorship Updated As Of: 9/10/2026)

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 <sup>1</sup>**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  
42 and transferred to a bonded warehouse for bottling and storage may  
43 be sold at retail and offered for sampling on the licensed premises

**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:

<sup>1</sup>Assembly AOF committee amendments adopted June 15, 2026.

<sup>2</sup>Assembly AAN committee amendments adopted October 22, 2026.

1 of the brewery by the holder of this license. The holder of this  
2 license shall not sell food or operate a restaurant on the licensed  
3 premises, but may coordinate with food vendors pursuant to section  
4 1 of P.L.2023, c.290 (C.33:1-10b). The holder of this license shall  
5 be entitled to engage in the privileges established pursuant to  
6 section 1 of P.L.2023, c.290 (C.33:1-10b).

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

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

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

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

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

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

22 Restricted brewery license. 1c. The holder of this license shall  
23 be entitled, subject to rules and regulations, to brew any malt  
24 alcoholic beverages in a quantity to be expressed in such license not  
25 in excess of 300,000 barrels of 31 gallons capacity per year.  
26 Notwithstanding the provisions of R.S.33:1-26, the director shall  
27 issue a restricted brewery license only to a person or an entity  
28 which has identical ownership to an entity which holds a plenary  
29 retail consumption license issued pursuant to R.S.33:1-12, provided  
30 that such plenary retail consumption license is operated in  
31 conjunction with a restaurant regularly and principally used for the  
32 purpose of providing meals to its customers and having adequate  
33 kitchen and dining room facilities, and that the licensed restaurant  
34 premises is immediately adjoining the premises licensed under this  
35 subsection. The holder of this license shall be entitled to sell or  
36 deliver the product to that restaurant premises. The holder of this  
37 license also shall be entitled to sell and distribute the product to  
38 wholesalers and retailers licensed in accordance with this chapter  
39 and to sell and distribute without this State to any persons pursuant  
40 to the laws of those places of such sale and distribution, and to  
41 maintain a warehouse; provided, however, that the delivery of this  
42 product by the holder of this license to retailers licensed under this  
43 title shall be from inventory in a warehouse located in this State  
44 which is operated under a restricted brewery license. The amount of  
45 malt alcoholic beverages that may be sold and distributed directly to  
46 retailers pursuant to this subsection on an annual basis shall be not  
47 more than 50 percent of the product manufactured in that year by  
48 the holder of this license. The fee for this license shall be \$1,250,

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

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

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

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

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

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

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

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

9       A holder of this license who produces not more than 250,000  
10      gallons per year shall be permitted to sell the wine it produces to  
11      any plenary winery license holder or farm winery license holder in  
12      this State for purposes of sale by the purchaser on the licensed  
13      premises of the winery or to sell the wine it produces to any other  
14      winery outside of this State in accordance with the laws of the state  
15      of purchase. Wine sold to another winery shall not be considered  
16      towards the calculation of the number of gallons produced per year  
17      by the seller but shall be considered towards the calculation of the  
18      number of gallons produced per year by the purchasing winery.

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

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

39      For the purposes of this subsection, "product" means any wine  
40      that is produced, blended, fortified, or treated by the licensee on its  
41      licensed premises situated in the State of New Jersey or pursuant to  
42      an alternating proprietorship agreement or any wine purchased from  
43      another license holder in accordance with the provisions of this  
44      section, provided that no less than 50 percent of the wine sold by  
45      the licensee in a given year is produced, fortified, or treated by the  
46      licensee on its licensed premises. For the purposes of this  
47      subsection, "wine" shall include "hard cider" and "mead" as defined  
48      in this section.

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

37 The holder of this license shall also have the right to sell and  
38 distribute **his** those products to retailers licensed in accordance  
39 with this chapter, except that the holder of this license shall not use  
40 a common carrier for such distribution. The fee for this additional  
41 privilege shall be \$100. The holder of this license shall have the  
42 right to sell **his** those products in original packages at retail to  
43 consumers in 15 salesrooms apart from the winery premises for  
44 consumption on or off the premises, and for sampling purposes for  
45 consumption on the premises, at a fee of \$250 for each salesroom.  
46 Licensees shall not jointly control and operate salesrooms.  
47 Additionally, the holder of this license may ship not more than 12  
48 cases of wine per year, subject to regulation, to any person within or

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

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

14 A holder of this license who produces not more than 250,000  
15 gallons per year shall be permitted to sell the wine it produces to  
16 any plenary winery license holder or farm winery license holder in  
17 this State for purposes of sale by the purchaser on the licensed  
18 premises of the winery or to sell the wine it produces to any other  
19 winery outside of this State in accordance with the laws of that  
20 State. Wine sold to another winery shall not be considered towards  
21 the calculation of the amount of gallons produced per year by the  
22 seller but shall be considered towards the calculation of the amount  
23 of gallons produced per year by the purchasing winery.

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

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

44 Unless otherwise indicated, for the purposes of this subsection,  
45 with respect to farm winery licenses, "manufacture" means the  
46 vinification, aging, storage, blending, clarification, stabilization and  
47 bottling of wine or juice from New Jersey fruit to the extent  
48 required by this subsection.

1     For the purposes of this subsection, "product" means any wine  
2     that is produced, blended, fortified, or treated by the licensee on its  
3     licensed premises situated in the State of New Jersey or pursuant to  
4     an alternating proprietorship agreement or any wine purchased from  
5     another license holder in accordance with the provisions of this  
6     section, provided that no less than 50 percent of the wine sold by  
7     the licensee in a given year is produced, fortified, or treated by the  
8     licensee on its licensed premises. For the purposes of this  
9     subsection, "wine" shall include "hard cider" and "mead" as defined  
10    in this section.

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

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

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

1 offering of an open container not exceeding one and one-half  
2 ounces of any wine.

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

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

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

47 A holder of this license who produces not more than 250,000  
48 gallons per year shall not own, either in whole or in part, or hold,

1 either directly or indirectly, any interest in a winery that produces  
2 more than 250,000 gallons per year.

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

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 Supplemental wine production facility sublicense. 2g. In  
11 accordance with any applicable laws or regulations, the holder of a  
12 plenary winery license or farm winery license engaged in the  
13 production of wine on the licensed premises of the winery shall be  
14 entitled to produce wine at a supplemental wine production facility  
15 in the State of New Jersey that is owned or leased by the license  
16 holder, provided that the supplemental wine production facility is  
17 operated by the license holder. Any wine produced at a  
18 supplemental wine production facility that is not sold by the license  
19 holder to any other plenary winery license holder or farm winery  
20 license holder shall be used to calculate the total gallons per annum  
21 of wine produced by the license holder for purposes of determining  
22 any fees, limitations, and eligibility for privileges pertaining to a  
23 holder of a plenary winery license or farm winery license. The  
24 holder of this sublicense shall be entitled, subject to rules and  
25 regulations, to transfer wine produced at the supplemental wine  
26 production facility to the licensed premises of the winery or  
27 salesroom for sale at retail to consumers and to otherwise sell and  
28 distribute wine produced at the supplemental wine production  
29 facility pursuant to the laws of the place of sale and distribution.  
30 The holder of this sublicense shall not sell products at retail to  
31 consumers on the premises of the supplemental wine production  
32 facility. The fee for this sublicense shall be \$750.

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

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

1 distribution and to warehouse these products. The fee for this  
2 license shall be \$3,750.

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

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

44 The holder of this license shall not sell food or operate a  
45 restaurant on the licensed premises, but may coordinate with food  
46 vendors pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b). A  
47 holder of this license who certifies that not less than 51 percent of  
48 the raw materials used in the production of distilled alcoholic

1 beverages under this section are grown in this State or purchased  
2 from providers located in this State may, consistent with all  
3 applicable federal laws and regulations, label these distilled  
4 alcoholic beverages as "New Jersey Distilled." The fee for this  
5 license shall be \$938.

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

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

22 The provisions of section 21 of P.L.2003, c.117 amendatory of  
23 this section shall apply to licenses issued or transferred on or after  
24 July 1, 2003, and to license renewals commencing on or after July  
25 1, 2003.】<sup>1</sup>

26  
27 <sup>2</sup>【<sup>1</sup>1. R.S.33:1-10 is amended to read as follows:

28 33:1-10. Class A licenses shall be subdivided and classified as  
29 follows:

30 Plenary brewery license. 1a. The holder of this license shall be  
31 entitled, subject to rules and regulations, to brew any malt alcoholic  
32 beverages and to sell and distribute **his** those products to  
33 wholesalers and retailers licensed in accordance with this chapter,  
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, provided, however, that the delivery of this  
37 product by the holder of this license to retailers licensed under this  
38 title shall be from inventory in a warehouse located in this State  
39 which is operated under a plenary brewery license. The fee for this  
40 license shall be \$10,625.

41 Limited brewery license. 1b. The holder of this license shall be  
42 entitled, subject to rules and regulations, to brew any malt alcoholic  
43 beverages in a quantity to be expressed in said license, dependent  
44 upon the following fees and not in excess of 300,000 barrels of 31  
45 fluid gallons capacity per year and to sell and distribute this product  
46 to wholesalers and retailers licensed in accordance with this  
47 chapter, and to sell and distribute without this State to any persons  
48 pursuant to the laws of the places of such sale and distribution, and

1 to maintain a warehouse, provided, however, that the delivery of  
2 this product by the holder of this license to retailers licensed under  
3 this title shall be from inventory in a warehouse located in this State  
4 which is operated under a limited brewery license. The holder of  
5 this license shall be entitled to sell this product at retail to  
6 consumers on the licensed premises of the brewery for consumption  
7 on the premises, or in a quantity of not more than 15.5 fluid gallons  
8 per person for consumption off the premises, and to offer samples  
9 for sampling purposes. The holder of this license shall not be  
10 required to pay a fee to the division for the privilege of offering  
11 samples pursuant to this section. If the holder of this license holds  
12 a bonded warehouse bottling license issued pursuant to subsection 5  
13 of this section, product brewed in accordance with this subsection  
14 and transferred to a bonded warehouse for bottling and storage may  
15 be sold at retail and offered for sampling on the licensed premises  
16 of the brewery by the holder of this license. The holder of this  
17 license shall not sell food or operate a restaurant on the licensed  
18 premises, but may coordinate with food vendors pursuant to section  
19 1 of P.L.2023, c.290 (C.33:1-10b). The holder of this license shall  
20 be entitled to engage in the privileges established pursuant to  
21 section 1 of P.L.2023, c.290 (C.33:1-10b).

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

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

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

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

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

31 For the purposes of this subsection, "sampling" means the selling  
32 at a nominal charge or the gratuitous offering of an open container  
33 not exceeding four ounces of any malt alcoholic beverage. For the  
34 purposes of this subsection, "product" means any malt alcoholic  
35 beverage that is produced on the premises licensed under this  
36 subsection.

37 Restricted brewery license. 1c. The holder of this license shall  
38 be entitled, subject to rules and regulations, to brew any malt  
39 alcoholic beverages in a quantity to be expressed in such license not  
40 in excess of 300,000 barrels of 31 gallons capacity per year.  
41 Notwithstanding the provisions of R.S.33:1-26, the director shall  
42 issue a restricted brewery license only to a person or an entity  
43 which has identical ownership to an entity which holds a plenary  
44 retail consumption license issued pursuant to R.S.33:1-12, provided  
45 that such plenary retail consumption license is operated in  
46 conjunction with a restaurant regularly and principally used for the  
47 purpose of providing meals to its customers and having adequate  
48 kitchen and dining room facilities and that the licensed restaurant

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

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

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

45 Farm brewery license. 1d. The holder of this license shall be  
46 entitled, subject to rules and regulations, to brew any malt alcoholic  
47 beverages in a quantity to be expressed in the license not in excess  
48 of 2,500 barrels of 31 fluid gallons per year and to sell products to

1 consumers for consumption off the licensed premises and to offer  
2 samples for sampling purposes only. The license shall be issued  
3 only when the brewery at which such malt alcoholic beverages are  
4 brewed is located and constructed upon a tract of land exclusively  
5 under the control of the licensee, the licensee is actively engaged in  
6 farming on or adjacent to the brewery premises, and the malt  
7 alcoholic beverages are substantially produced from hops or other  
8 ingredients grown or cultivated on that tract of land. The holder of  
9 this license shall not sell or offer food for consumption on the  
10 licensed premises.

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

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

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

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

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

23 A holder of this license who produces not more than 250,000  
24 gallons of wine per year may sell and transfer in bond wine  
25 produced by the licensee to any holder of a plenary winery license  
26 or farm winery license issued pursuant to this section, or to any  
27 winery located outside this State in accordance with the laws of that  
28 state, for purposes of resale. Wine transferred pursuant to this  
29 subsection may be sold by the receiving winery in accordance with  
30 the provisions of this chapter, provided, however, that the wine  
31 shall be labeled, marketed, advertised, and offered for sale solely  
32 under the brand name, trade name, label, or other identifying  
33 information of the receiving winery and in accordance with  
34 applicable federal law and regulations.

35 Wine transferred pursuant to this subsection shall not be included  
36 in the calculation of the number of gallons produced per year by the  
37 producing winery, but shall be included in the calculation of the  
38 number of gallons produced per year by the receiving winery.

39 An applicant for a plenary winery license or the holder of a  
40 plenary winery license may apply to the director for approval to  
41 enter into an agreement with a host New Jersey winery to use the  
42 host's equipment and space in an alternating proprietorship for  
43 production of wine, provided that the applicant or holder has  
44 obtained approval of the proposed alternating proprietorship  
45 arrangement from the Alcohol and Tobacco Tax and Trade Bureau.  
46 The director shall approve the agreement if the director determines  
47 that the Alcohol and Tobacco Tax and Trade Bureau has approved  
48 the agreement and the agreement does not violate any applicable

1 New Jersey alcohol licensing and taxation laws and related  
2 regulations or special rulings of the director. The director shall  
3 approve or deny the application no later than 180 days after receipt  
4 of the application, unless the applicant agrees to an extension.

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

11 For the purposes of this subsection, "product" means any wine  
12 that is produced, blended, fortified, bottled, or treated by the  
13 licensee on its licensed premises situated in the State of New Jersey  
14 or pursuant to an alternating proprietorship agreement or any wine  
15 purchased from another license holder in accordance with the  
16 provisions of this section, provided that no less than 50 percent of  
17 the wine sold by the licensee in a given year is produced, fortified,  
18 bottled, or treated by the licensee on its licensed premises.

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

21 For the purposes of this subsection, "in bond" means the transfer  
22 of untaxed bulk or bottled wine between bonded winery premises  
23 pursuant to applicable federal law and regulations.

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

1 applicable federal laws and regulations. The containers of all wine  
2 sold to consumers by such licensee shall have affixed a label stating  
3 such information as shall be required by the rules and regulations of  
4 the Director of the Division of Alcoholic Beverage Control. The  
5 fee for this license shall be graduated as follows: to so manufacture  
6 between 30,000 and 50,000 gallons per annum, \$375; to so  
7 manufacture between 2,500 and 30,000 gallons per annum, \$250; to  
8 so manufacture between 1,000 and 2,500 gallons per annum, \$125;  
9 to so manufacture less than 1,000 gallons per annum, \$63. No farm  
10 winery license shall be held by the holder of a plenary winery  
11 license.

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

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

37 A holder of this license who produces not more than 250,000  
38 gallons of wine per year may sell and transfer in bond wine  
39 produced by the licensee to any holder of a plenary winery license  
40 or farm winery license issued pursuant to this section, or to any  
41 winery located outside this State in accordance with the laws of that  
42 state, for purposes of resale. Wine transferred pursuant to this  
43 subsection may be sold by the receiving winery in accordance with  
44 the provisions of this chapter, provided, however, that the wine  
45 shall be labeled, marketed, advertised, and offered for sale solely  
46 under the brand name, trade name, label, or other identifying  
47 information of the receiving winery and in accordance with  
48 applicable federal law and regulations.

1     Wine transferred pursuant to this subsection shall not be included  
2     in the calculation of the number of gallons produced per year by the  
3     producing winery, but shall be included in the calculation of the  
4     number of gallons produced per year by the receiving winery.

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

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

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

30    For the purposes of this subsection, "product" means any wine  
31    that is produced, blended, fortified, bottled, or treated by the  
32    licensee on its licensed premises situated in the State of New Jersey  
33    or pursuant to an alternating proprietorship agreement or any wine  
34    purchased from another license holder in accordance with the  
35    provisions of this section, provided that no less than 50 percent of  
36    the wine sold by the licensee in a given year is produced, fortified,  
37    or treated by the licensee on its licensed premises.

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

40    For the purposes of this subsection, "in bond" means the transfer  
41    of untaxed bulk or bottled wine between bonded winery premises  
42    pursuant to applicable federal law and regulations.

43    Wine blending license. 2c. The holder of this license shall be  
44    entitled, subject to rules and regulations, to blend, treat, mix, and  
45    bottle fermented wines and fruit juices with non-alcoholic  
46    beverages, and to sell and distribute **[his]** those products to  
47    wholesalers and retailers licensed in accordance with this chapter,  
48    and to sell and distribute without this State to any persons pursuant

1 to the laws of the places of such sale and distribution, and to  
2 maintain a warehouse. The fee for this license shall be \$625.

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

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

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

37 Out-of-State winery license. 2e. Provided that the applicant  
38 does not produce more than 250,000 gallons of wine per year, the  
39 holder of a valid winery license issued in any other state may make  
40 application to the director for this license. The holder of this  
41 license shall have the right to sell and distribute **his** those  
42 products to wholesalers licensed in accordance with this chapter and  
43 to sell such wine at retail in original packages in 16 salesrooms  
44 apart from the winery premises for consumption on or off the  
45 premises at a fee of \$250 for each salesroom. Licensees shall not  
46 jointly control and operate salesrooms. The annual fee for this  
47 license shall be \$938. A copy of a current license issued by another  
48 state shall accompany the application. The holder of this license

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

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

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

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

37 Cidery and meadery license. 2f. The holder of this license shall  
38 be entitled, subject to rules and regulations, to manufacture hard  
39 cider and mead and to sell and distribute these products 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 the places of such sale and distribution, and to  
43 maintain a warehouse. The holder of this license shall be entitled to  
44 sell these products at retail to consumers on the licensed premises  
45 for consumption on or off the premises and to offer samples for  
46 sampling purposes only. The holder of this license shall be  
47 permitted to offer for sale or make the gratuitous offering of  
48 packaged crackers, chips, nuts, and similar snacks to consumers.

1 The holder of this license shall not operate a restaurant on the  
2 licensed premises, but may coordinate with food vendors pursuant  
3 to section 1 of P.L.2023, c.290 (C.33:1-10b). The holder of this  
4 license shall be entitled to engage in the privileges established  
5 pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b). The fee for  
6 this license shall be \$938.

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

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

25 As used in this subsection:

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

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

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

41 Supplemental wine production facility sublicense. 2g. In  
42 accordance with any applicable laws or regulations, the holder of a  
43 plenary winery license or farm winery license engaged in the  
44 production of wine on the licensed premises of the winery shall be  
45 entitled to produce wine at a supplemental wine production facility  
46 in the State of New Jersey that is owned or leased by the license  
47 holder, provided that the supplemental wine production facility is  
48 operated by the license holder. Any wine produced at a

1 supplemental wine production facility that is not sold by the license  
2 holder to any other plenary winery license holder or farm winery  
3 license holder shall be used to calculate the total gallons per annum  
4 of wine produced by the license holder for purposes of determining  
5 any fees, limitations, and eligibility for privileges pertaining to a  
6 holder of a plenary winery license or farm winery license. The  
7 holder of this sublicense shall be entitled, subject to rules and  
8 regulations, to transfer wine produced at the supplemental wine  
9 production facility to the licensed premises of the winery or  
10 salesroom for sale at retail to consumers and to otherwise sell and  
11 distribute wine produced at the supplemental wine production  
12 facility pursuant to the laws of the place of sale and distribution.  
13 The holder of this sublicense shall not sell products at retail to  
14 consumers on the premises of the supplemental wine production  
15 facility. The fee for this sublicense shall be \$750.

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

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

34 Supplementary limited distillery license. 3c. The holder of this  
35 license shall be entitled, subject to rules and regulations, to bottle  
36 and rebottle, in a quantity to be expressed in said license, dependent  
37 upon the following fees, alcoholic beverages distilled from fruit  
38 juices by such holder pursuant to a prior plenary or limited distillery  
39 license, and to sell and distribute **【his】** those products 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 the places of such sale and distribution, and to  
43 maintain a warehouse. The fee for this license shall be graduated as  
44 follows: to so bottle and rebottle not more than 5,000 wine gallons  
45 per annum, \$313; to so bottle and rebottle not more than 10,000  
46 wine gallons per annum, \$625; to so bottle and rebottle without  
47 limit as to amount, \$1,250.

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

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

38       Historic distillery license. 3e. A historic distillery license shall  
39       be issued for use in connection with a premises that is included in  
40       the New Jersey Register of Historic Places established pursuant to  
41       P.L.1970, c.268 (C.13:1B-15.128 et seq.). The holder of this  
42       license shall be entitled, subject to rules and regulations, to  
43       manufacture any distilled alcoholic beverages, to rectify, blend,  
44       treat, and mix distilled alcoholic beverages, to sell and distribute  
45       this product to wholesalers and retailers licensed in accordance with  
46       this chapter, and to sell and distribute without this State to any  
47       persons pursuant to the laws of the places of such sale and  
48       distribution, and to maintain a warehouse. The holder of this

1 license shall be entitled to sell this product at retail to consumers on  
2 the licensed premises of the distillery for consumption on the  
3 premises. The holder of this license also shall be entitled to sell this  
4 product for consumption off the premises in a quantity of not more  
5 than five liters per person.

6 In addition, the holder of this license may offer any person not  
7 more than three samples per calendar day for sampling purposes  
8 only. For the purposes of this subsection, "sampling" means the  
9 gratuitous offering of an open container not exceeding one-half  
10 ounce serving of distilled alcoholic beverage produced on the  
11 distillery premises. If the holder of this license holds a bonded  
12 warehouse bottling license issued pursuant to subsection 5 of this  
13 section, products manufactured in accordance with this subsection  
14 and transferred to a bonded warehouse for bottling and storage may  
15 be sold at retail and offered for sampling on the licensed premises  
16 of the distillery by the holder of this license. Nothing in this  
17 subsection shall be deemed to permit the direct shipment of distilled  
18 spirits either within or without this State. The holder of this license  
19 shall be entitled to engage in the privileges established pursuant to  
20 section 1 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). The  
24 fee for this license shall be \$1,000.

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

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

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

45 (cf: P.L.2025, c.97, s.1) **】**<sup>2</sup>

1       <sup>2</sup>1. R.S.33:1-10 is amended to read as follows:

2       33:1-10. Class A licenses shall be subdivided and classified as  
3 follows:

4       Plenary brewery license. 1a. The holder of this license shall be  
5 entitled, subject to rules and regulations, to brew any malt alcoholic  
6 beverages and to sell and distribute those products to wholesalers and  
7 retailers licensed in accordance with this chapter, and to sell and  
8 distribute without this State to any persons pursuant to the laws of the  
9 places of such sale and distribution, and to maintain a warehouse,  
10 provided, however, that the delivery of this product by the holder of  
11 this license to retailers licensed under this title shall be from inventory  
12 in a warehouse located in this State which is operated under a plenary  
13 brewery license. The fee for this license shall be \$10,625.

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

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

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

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

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

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

3 For the purposes of this subsection, "sampling" means the selling  
4 at a nominal charge or the gratuitous offering of an open container not  
5 exceeding four ounces of any malt alcoholic beverage. For the  
6 purposes of this subsection, "product" means any malt alcoholic  
7 beverage that is produced on the premises licensed under this  
8 subsection.

9 Restricted brewery license. 1c. The holder of this license shall be  
10 entitled, subject to rules and regulations, to brew any malt alcoholic  
11 beverages in a quantity to be expressed in such license not in excess of  
12 300,000 barrels of 31 gallons capacity per year. Notwithstanding the  
13 provisions of R.S.33:1-26, the director shall issue a restricted brewery  
14 license only to a person or an entity which has identical ownership to  
15 an entity which holds a plenary retail consumption license issued  
16 pursuant to R.S.33:1-12, provided that such plenary retail consumption  
17 license is operated in conjunction with a restaurant regularly and  
18 principally used for the purpose of providing meals to its customers  
19 and having adequate kitchen and dining room facilities and that the  
20 licensed restaurant premises is immediately adjoining the premises  
21 licensed under this subsection. The holder of this license shall be  
22 entitled to sell or deliver the product to that restaurant premises. The  
23 holder of this license also shall be entitled to sell and distribute the  
24 product to wholesalers and retailers licensed in accordance with this  
25 chapter and to sell and distribute without this State to any persons  
26 pursuant to the laws of those places of such sale and distribution and to  
27 maintain a warehouse, provided, however, that the delivery of this  
28 product by the holder of this license to retailers licensed under this title  
29 shall be from inventory in a warehouse located in this State which is  
30 operated under a restricted brewery license. The amount of malt  
31 alcoholic beverages that may be sold and distributed directly to  
32 retailers pursuant to this subsection on an annual basis shall be not  
33 more than 50 percent of the product manufactured in that year by the  
34 holder of this license. The fee for this license shall be \$1,250, which  
35 fee shall entitle the holder to brew up to 1,000 barrels of 31 liquid  
36 gallons per annum. The licensee also shall pay an additional \$250 for  
37 every additional 1,000 barrels of 31 fluid gallons produced. The fee  
38 shall be paid at the time of application for the license, and additional  
39 payments based on barrels produced shall be paid within 60 days  
40 following the expiration of the license term upon certification by the  
41 licensee of the actual gallons brewed during the license term. No more  
42 than 10 restricted brewery licenses shall be issued to a person or entity  
43 which holds an interest in a plenary retail consumption license. If the  
44 governing body of the municipality in which the licensed premises will  
45 be located should file a written objection, the director shall hold a  
46 hearing and may issue the license only if the director finds that the  
47 issuance of the license will not be contrary to the public interest. All  
48 fees related to the issuance of both licenses shall be paid in accordance

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

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

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

14 Farm brewery license. 1d. The holder of this license shall be  
15 entitled, subject to rules and regulations, to brew any malt alcoholic  
16 beverages in a quantity to be expressed in the license not in excess of  
17 2,500 barrels of 31 fluid gallons per year and to sell and distribute its  
18 products to wholesalers and retailers licensed in accordance with this  
19 chapter, and to sell and distribute without this State to any persons  
20 pursuant to the laws of the places of the sale and distribution and to  
21 maintain a warehouse, provided the delivery of its products by the  
22 holder of this license to retailers licensed under this chapter shall be  
23 from inventory in a warehouse located in this State which is operated  
24 under a farm brewery license. The holder of this license shall be  
25 entitled to sell at retail its products to consumers for consumption on  
26 or off the licensed premises and to offer samples for sampling  
27 purposes only. The license shall be issued only when the brewery at  
28 which such malt alcoholic beverages are brewed is located and  
29 constructed upon a tract of land exclusively under the control of the  
30 licensee, the licensee is actively engaged in farming on or adjacent to  
31 the brewery premises, and the malt alcoholic beverages contain at  
32 least 51 percent of its ingredients from hops, grains, or other  
33 ingredients grown or cultivated on that tract of land. The holder of this  
34 license shall not sell or offer food for consumption on the licensed  
35 premises, but may coordinate with food vendors to provide food on the  
36 licensed premises and provide menus to customers for the sale of food.

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

42 The holder of this license shall have the right to sell and distribute  
43 its products to retailers licensed in accordance with this chapter, except  
44 that the holder of this license shall not use a common carrier for the  
45 distribution. The fee for this additional privilege shall be \$100.

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

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

47 A holder of this license who produces not more than 250,000  
48 gallons per year shall not own, either in whole or in part, or hold,

1 either directly or indirectly, any interest in a winery that produces  
2 more than 250,000 gallons per year. In addition, a holder of this  
3 license who produces more than 250,000 gallons per year shall not  
4 own, either in whole or in part, or hold, either directly or indirectly,  
5 any interest in a winery that produces not more than 250,000 gallons  
6 per year.

7 A holder of this license who produces not more than 250,000  
8 gallons of wine per year may sell and transfer in bond wine produced  
9 by the licensee to any holder of a plenary winery license or farm  
10 winery license issued pursuant to this section, or to any winery located  
11 outside this State in accordance with the laws of that state, for  
12 purposes of resale. Wine transferred pursuant to this subsection may  
13 be sold by the receiving winery in accordance with the provisions of  
14 this chapter, provided, however, that the wine shall be labeled,  
15 marketed, advertised, and offered for sale solely under the brand name,  
16 trade name, label, or other identifying information of the receiving  
17 winery and in accordance with applicable federal law and regulations.

18 Wine transferred pursuant to this subsection shall not be included  
19 in the calculation of the number of gallons produced per year by the  
20 producing winery, but shall be included in the calculation of the  
21 number of gallons produced per year by the receiving winery.

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

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

42 For the purposes of this subsection, "product" means any wine that  
43 is produced, blended, fortified, bottled, or treated by the licensee on its  
44 licensed premises situated in the State of New Jersey or pursuant to an  
45 alternating proprietorship agreement or any wine purchased from  
46 another license holder in accordance with the provisions of this  
47 section. The amount of wine sold by a licensee that is purchased from  
48 another license holder in accordance with the provisions of this section

1 shall not exceed 50 percent of the wine sold by the licensee in a given  
2 year. For the purposes of this subsection, "wine" shall include "hard  
3 cider" and "mead" as defined in this section. For the purposes of this  
4 subsection, "in bond" means the transfer of untaxed bulk or bottled  
5 wine between bonded winery premises pursuant to applicable federal  
6 law and regulations.

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

41 The holder of this license shall also have the right to sell and  
42 distribute those products to retailers licensed in accordance with this  
43 chapter, except that the holder of this license shall not use a common  
44 carrier for such distribution. The fee for this additional privilege shall  
45 be \$100. The holder of this license shall have the right to sell those  
46 products in original packages at retail to consumers in 15 salesrooms  
47 apart from the winery premises for consumption on or off the  
48 premises, for sampling purposes for consumption on the premises, and,

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

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

21 A holder of this license who produces not more than 250,000  
22 gallons of wine per year may sell and transfer in bond wine produced  
23 by the licensee to any holder of a plenary winery license or farm  
24 winery license issued pursuant to this section, or to any winery located  
25 outside this State in accordance with the laws of that state, for  
26 purposes of resale. Wine transferred pursuant to this subsection may  
27 be sold by the receiving winery in accordance with the provisions of  
28 this chapter, provided, however, that the wine shall be labeled,  
29 marketed, advertised, and offered for sale solely under the brand name,  
30 trade name, label, or other identifying information of the receiving  
31 winery and in accordance with applicable federal law and regulations.

32 Wine transferred pursuant to this subsection shall not be included  
33 in the calculation of the number of gallons produced per year by the  
34 producing winery, but shall be included in the calculation of the  
35 number of gallons produced per year by the receiving winery.

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

1 after receipt of the application, unless the applicant agrees to an  
2 extension.

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

9 Unless otherwise indicated, for the purposes of this subsection,  
10 with respect to farm winery licenses, "manufacture" means the  
11 vinification, aging, storage, blending, clarification, stabilization, and  
12 bottling of wine or juice from New Jersey fruit to the extent required  
13 by this subsection.

14 For the purposes of this subsection, "product" means any wine that  
15 is produced, blended, fortified, bottled, or treated by the licensee on its  
16 licensed premises situated in the State of New Jersey or pursuant to an  
17 alternating proprietorship agreement or any wine purchased from  
18 another license holder in accordance with the provisions of this  
19 section. The amount of wine sold by a licensee that is purchased from  
20 another license holder in accordance with the provisions of this section  
21 shall not exceed 50 percent of the wine sold by the licensee in a given  
22 year. For the purposes of this subsection, "wine" shall include "hard  
23 cider" and "mead" as defined in this section. For the purposes of this  
24 subsection, "in bond" means the transfer of untaxed bulk or bottled  
25 wine between bonded winery premises pursuant to applicable federal  
26 law and regulations.

27 Wine blending license. 2c. The holder of this license shall be  
28 entitled, subject to rules and regulations, to blend, treat, mix, and bottle  
29 fermented wines and fruit juices with non-alcoholic beverages, and to  
30 sell and distribute those products to wholesalers and retailers licensed  
31 in accordance with this chapter, and to sell and distribute without this  
32 State to any persons pursuant to the laws of the places of such sale and  
33 distribution, and to maintain a warehouse. The fee for this license  
34 shall be \$625.

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

37 Instructional winemaking facility license. 2d. The holder of this  
38 license shall be entitled, subject to rules and regulations, to instruct  
39 persons in and provide them with the opportunity to participate  
40 directly in the process of winemaking and to directly assist such  
41 persons in the process of winemaking while in the process of  
42 instruction on the premises of the facility. The holder of this license  
43 also shall be entitled to manufacture wine on the premises not in  
44 excess of an amount of 10 percent of the wine produced annually on  
45 the premises of the facility, which shall be used only to replace  
46 quantities lost or discarded during the winemaking process, to  
47 maintain a warehouse, and to offer samples produced by persons who  
48 have received instruction in winemaking on the premises by the

1 licensee for sampling purposes only on the licensed premises for the  
2 purpose of promoting winemaking for personal or household use or  
3 consumption. Wine produced on the premises of an instructional  
4 winemaking facility shall be used, consumed, or disposed of on the  
5 facility's premises or distributed from the facility's premises to a  
6 person who has participated directly in the process of winemaking for  
7 the person's personal or household use or consumption. The holder of  
8 this license may sell mercantile items traditionally associated with  
9 winemaking and novelty wearing apparel identified with the name of  
10 the establishment licensed under the provisions of this section. The  
11 holder of this license may use the licensed premises for an event or  
12 affair, including an event or affair at which a plenary retail  
13 consumption licensee serves alcoholic beverages in compliance with  
14 all applicable statutes and regulations promulgated by the director.  
15 The fee for this license shall be \$1,000. For the purposes of this  
16 subsection, "sampling" means the gratuitous offering of an open  
17 container not exceeding one and one half ounces of any wine.

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

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

1       The licensee shall collect from the customer the tax due on the sale  
2 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1  
3 et seq.), and shall pay the tax due on the delivery of alcoholic  
4 beverages pursuant to the "Alcoholic beverage tax law," R.S.54:41-1  
5 et seq. The Director of the Division of Taxation in the Department of  
6 the Treasury shall promulgate such rules and regulations necessary to  
7 effectuate the provisions of this paragraph and may provide by  
8 regulation for the co-administration of the tax due on the delivery of  
9 alcoholic beverages pursuant to the "Alcoholic beverage tax law,"  
10 R.S.54:41-1 et seq., with the administration of the tax due on the sale  
11 pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1  
12 et seq.).

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

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

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

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

45       The holder of this license shall be entitled to manufacture not more  
46 than 250,000 gallons of mead per year. The holder of this license may  
47 ship not more than 12 cases of mead per year, subject to regulation, to  
48 any person within or without this State over 21 years of age for

1 personal consumption and not for resale. A case of mead shall not  
2 exceed a maximum of nine liters. A copy of the original invoice shall  
3 be available for inspection by persons authorized to enforce the  
4 alcoholic beverage laws of this State for a minimum period of three  
5 years at the licensed premises.

6 As used in this subsection:

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

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

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

20 Supplemental wine production facility sublicense. 2g. In  
21 accordance with any applicable laws or regulations, the holder of a  
22 plenary winery license or farm winery license engaged in the  
23 production of wine on the licensed premises of the winery shall be  
24 entitled to produce wine at a supplemental wine production facility in  
25 the State of New Jersey that is owned or leased by the license holder,  
26 provided that the supplemental wine production facility is operated by  
27 the license holder. Any wine produced at a supplemental wine  
28 production facility that is not sold by the license holder to any other  
29 plenary winery license holder or farm winery license holder shall be  
30 used to calculate the total gallons per annum of wine produced by the  
31 license holder for purposes of determining any fees, limitations, and  
32 eligibility for privileges pertaining to a holder of a plenary winery  
33 license or farm winery license. The holder of this sublicense shall be  
34 entitled, subject to rules and regulations, to transfer wine produced at  
35 the supplemental wine production facility to the licensed premises of  
36 the winery or salesroom for sale at retail to consumers and to  
37 otherwise sell and distribute wine produced at the supplemental wine  
38 production facility pursuant to the laws of the place of sale and  
39 distribution. The holder of this sublicense shall not sell products at  
40 retail to consumers on the premises of the supplemental wine  
41 production facility. The fee for this sublicense shall be \$750.

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

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

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

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

1 holder of this license shall be entitled to engage in the privileges  
2 established pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b).

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

12 Historic distillery license. 3e. A historic distillery license shall be  
13 issued for use in connection with a premises that is included in the  
14 New Jersey Register of Historic Places established pursuant to  
15 P.L.1970, c.268 (C.13:1B-15.128 et seq.). The holder of this license  
16 shall be entitled, subject to rules and regulations, to manufacture any  
17 distilled alcoholic beverages, to rectify, blend, treat, and mix distilled  
18 alcoholic beverages, to sell and distribute this product to wholesalers  
19 and retailers licensed in accordance with this chapter, and to sell and  
20 distribute without this State to any persons pursuant to the laws of the  
21 places of such sale and distribution, and to maintain a warehouse. The  
22 holder of this license shall be entitled to sell this product at retail to  
23 consumers on the licensed premises of the distillery for consumption  
24 on the premises. The holder of this license also shall be entitled to sell  
25 this product for consumption off the premises in a quantity of not more  
26 than five liters per person.

27 In addition, the holder of this license may offer any person not  
28 more than three samples per calendar day for sampling purposes only.  
29 For the purposes of this subsection, "sampling" means the gratuitous  
30 offering of an open container not exceeding one half-ounce serving of  
31 distilled alcoholic beverage produced on the distillery premises. If the  
32 holder of this license holds a bonded warehouse bottling license issued  
33 pursuant to subsection 5 of this section, products manufactured in  
34 accordance with this subsection and transferred to a bonded warehouse  
35 for bottling and storage may be sold at retail and offered for sampling  
36 on the licensed premises of the distillery by the holder of this license.  
37 Nothing in this subsection shall be deemed to permit the direct  
38 shipment of distilled spirits either within or without this State. The  
39 holder of this license shall be entitled to engage in the privileges  
40 established pursuant to section 1 of P.L.2023, c.290 (C.33:1-10b).

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

45 Rectifier and blender license. 4. The holder of this license shall be  
46 entitled, subject to rules and regulations, to rectify, blend, treat, and  
47 mix distilled alcoholic beverages, and to fortify, blend, and treat  
48 fermented alcoholic beverages, and prepare mixtures of alcoholic

1 beverages, and to sell and distribute those products to wholesalers and  
2 retailers licensed in accordance with this chapter, and to sell and  
3 distribute without this State to any persons pursuant to the laws of the  
4 places of such sale and distribution, and to maintain a warehouse. The  
5 fee for this license shall be \$7,500.

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

13 The provisions of section 21 of P.L.2003, c.117 amendatory of this  
14 section shall apply to licenses issued or transferred on or after July 1,  
15 2003, and to license renewals commencing on or after July 1, 2003.<sup>2</sup>  
16 (cf: P.L.2026, c.46, s.2)

17  
18 2. This act shall take effect on the first day of the sixth month  
19 next following enactment.