

Article - Alcoholic Beverages

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§2–206.

(a) A Class 5 manufacturer's license:

(1) Is a brewery license; and

(2) Authorizes the holder to:

(i) Establish and operate in this State a plant for brewing and bottling malt beverages at the location described in the license;

(ii) Import beer from holders of nonresident dealer's permits;

(iii) Sell and deliver beer to any wholesale licensee in this State, or person outside of this State, authorized to acquire it; and

(iv) Subject to subsection (b)(2) of this section, sell beer brewed at the location described in the license for on-premises consumption.

(b) (1) A licensee may:

(i) Serve to a person of legal drinking age who participates in a guided tour of the facility or attends a scheduled promotional event or other organized activity at the licensed premises, not more than six samples of beer brewed at the licensed premises, with each sample consisting of not more than 3 ounces from a single style of beer; and

(ii) Sell beer brewed at the brewery for off-premises consumption to anyone who participates in a guided tour of the brewery or attends a scheduled promotional event or other organized activity at the licensed premises, subject to the following restrictions:

1. The purchase is limited to 288 ounces of beer per person;

and

2. The person has attained the legal drinking age.

(2) (i) A local licensing board shall grant an on-site consumption permit to an applicant that holds a Class 5 manufacturer's license and, subject to subparagraph (iii) of this paragraph, a Class D beer license.

(ii) An on-site consumption permit entitles the holder to sell beer brewed at the brewery for on-premises consumption to persons that have attained the legal drinking age.

(iii) Before a local licensing board that does not issue a Class D beer license may grant an on-site consumption permit, the local licensing board shall:

1. Establish an equivalent license; and
2. Require that the applicant obtain that license.

(iv) The total amount of beer sold each year for on-premises consumption under this paragraph may not exceed 500 barrels.

(v) A local licensing board may:

1. Charge a fee for granting an on-site consumption permit; and
2. Require that the holder of the permit or an employee designated by the holder comply with the alcohol awareness training requirements under § 13-101 of this article.

(c) (1) The Office of the Comptroller may issue a special brewery promotional event permit to a holder of a Class 5 manufacturer's license.

(2) The permit authorizes the holder to conduct on the premises of the brewery a promotional event at which the holder may:

(i) Provide samples of not more than 3 fluid ounces per brand to consumers; and

(ii) Sell beer produced by the holder to persons who participate in the event.

(3) The beer at the event shall be sold by the glass and for consumption on the premises only.

(4) A holder of a Class 5 manufacturer's license may not be issued more than 12 permits in a calendar year.

(5) A single promotional event may not exceed 3 consecutive days.

(6) The permit fee is \$25 per event.

(7) To obtain a permit, a person, at least 15 days before the event, shall file with the Office of the Comptroller an application that the Office provides.

(d) (1) (i) The Comptroller may issue a refillable container permit to a holder of a Class 5 manufacturer's license:

1. On completion of an application form that the Comptroller provides; and

2. At no cost to the holder of the Class 5 manufacturer's license.

(ii) A refillable container permit may be renewed each year concurrently with the renewal of the Class 5 manufacturer's license.

(2) A refillable container permit authorizes the holder to sell draft beer for consumption off the licensed premises in a refillable container that:

(i) Has a capacity of not less than 32 ounces and not more than 128 ounces; and

(ii) Meets the requirements under paragraph (3) of this subsection.

(3) To be used as a refillable container under paragraph (2) of this subsection, a container shall meet the standards under § 21-107 of this article.

(4) The hours of sale for a refillable container permit issued under this subsection are the same as the hours when a guided tour, a promotional event, or other organized activity at the licensed premises authorized under subsection (b) of this section may be conducted.

(5) A holder of a refillable container permit may refill only a refillable container that meets the standards under § 21-107 of this article.

(6) The Comptroller may adopt regulations to implement this subsection.

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