

Article - Alcoholic Beverages

[Previous][Next]

§2-301.

(a) (1) The annual fees for the following classes of wholesaler's licenses are:

Class 1	Beer, wine and liquor.....	\$ 2,000
Class 2	Wine and liquor.....	1,750
Class 3	Beer and wine	1,500
Class 4	Beer.....	1,250
Class 5	Wine.....	1,250
Class 6	Limited wine	50
Class 7	Limited beer	50

(2) Upon approval of the application:

(i) A Class 1 wholesale licensee may use additional locations for the warehousing, sale and delivery of beer, wine and liquor upon the payment of an additional fee of \$2,000 for each additional location.

(ii) A Class 2 wholesale licensee may use additional locations for the warehousing, sale and delivery of wine and liquor upon the payment of an additional fee of \$1,750 for each additional location.

(iii) A Class 3 wholesale licensee may use additional locations for the warehousing, sale and delivery of beer and wine upon the payment of an additional fee of \$1,500 for each additional location.

(iv) A Class 4 wholesale licensee may use additional locations for the warehousing, sale and delivery of beer upon the payment of an additional fee of \$1,250 for each additional location.

(v) A Class 5 wholesale licensee may use additional locations for the warehousing, sale and delivery of wine upon the payment of an additional fee of \$1,250 for each additional location.

(vi) A Class 6 limited wine wholesale licensee may use additional locations for the warehousing, sale and delivery of wine upon the payment of an additional fee of \$50 for each additional location.

(vii) A Class 7 limited beer wholesale licensee may use additional locations for the warehousing, sale, and delivery of beer on the payment of an additional fee of \$50 for each additional location.

(b) (1) Except as otherwise provided in this subsection, a wholesaler's license issued in accordance with the fee paid entitles the holder to acquire the alcoholic beverages indicated on the license from licensees and holders of nonresident dealer's permits and resident dealer's permits authorized by this State to make the sales and deliveries. The license authorizes the sale and delivery of those alcoholic beverages from the licensed premises to licensees and permit holders in Maryland and to persons outside of this State.

(2) A Class 6 limited wine wholesaler's license shall be issued only to a wine manufacturer that:

(i) Produces not more than 27,500 gallons of its own wine annually;
and

(ii) Holds a Class 4 limited winery manufacturer's license issued under this article.

(3) A person who holds a Class 6 limited wine wholesaler's license, on approval of the application and payment of the fee:

(i) May sell and deliver its own brand of wine produced at the licensee's premises to a retail licensee or permit holder in the State authorized to acquire the wine; and

(ii) May not sell its wine to a licensed wholesaler.

(4) A Class 7 limited beer wholesaler's license shall be issued only to a person that:

(i) Produces in aggregate from all its locations not more than 22,500 barrels of beer annually; and

(ii) Holds a Class 5 manufacturer's license, Class 7 micro-brewery license, or Class 8 farm brewery license.

(5) On approval of the application and payment of the fee, a holder of a Class 7 limited beer wholesaler's license may:

(i) Sell and deliver its own beer produced at the holder's premises to a retail license holder or permit holder in the State authorized to acquire the beer; and

(ii) Distribute not more than 3,000 barrels of its own beer annually.

(6) In Allegany County the holder of a Class 1 or Class 2 wholesaler's license may not sell liquor in any size container smaller than 23 ounces or 680 milliliters to any holder of a special permit issued under § 7-101(h) of this article.

(7) A wholesaler's license of the appropriate class authorizes the holder to

directly import beer, wine, or distilled spirits from sources outside the continental limits and possessions of the United States. However, any wholesale licensee that imports for subsequent distribution in or outside the State of Maryland shall be:

- (i) The brand owner;
- (ii) A wholesale licensee that purchases directly from the brand owner or the authorized agent of the brand owner; or
- (iii) A wholesale licensee that purchases from the authorized United States importer.

(8) Paragraph (7) of this subsection only applies if the wholesale licensee's jurisdiction and authority to sell has been submitted to the Comptroller by the brand owner.

(c) The holder of a Class 1, Class 2 or Class 3 wholesaler's license, upon approval of application and the payment of the fee, may obtain more than one such license provided separate records are kept.

(d) Delivery from a truck or vehicle under the exclusive control of the holder of a wholesaler's license of beer previously purchased by and delivered to the license holder constitutes delivery from his place of business within the meaning of this section.

(e) Delivery from a truck or vehicle under the exclusive control of the holder of a wholesaler's license of wine or a wine-based beverage constitutes delivery from the wholesaler's place of business within the meaning of this section if:

- (1) The wholesaler has a license to sell wine; and
- (2) The wine or wine-based beverage has an alcoholic content by volume of 6.5 percent or less.

(f) (1) This subsection does not apply to a nonresident winery permit holder.

(2) Before any sale and delivery to a retail licensee, any alcoholic beverages acquired by a wholesaler from any source shall first come to rest on the licensed premises of the wholesaler.

(g) (1) This subsection applies in Montgomery County.

(2) The Department of Liquor Control may sell its inventory through county liquor dispensaries at wholesale and retail and through retail outlets operated by individuals with whom the Department contracts under § 15-203(d) of this article.

(3) Notwithstanding any other provision of law, this article may not be interpreted to prohibit the sale of alcoholic beverages in whole cases or in individual bottles by the director of the Department of Liquor Control, through county liquor

dispensaries selling at wholesale or retail, to a licensee in Montgomery County.

(4) The Department of Liquor Control may not sell alcoholic beverages at different prices to different licensees or classes of licensees.

[\[Previous\]](#)[\[Next\]](#)