
By: **Delegates Love, D. Davis, Harrison, and Miller**

Introduced and read first time: February 10, 2006

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Alcoholic Beverages - Wineries - Wholesalers and Retail Dealers**

3 FOR the purpose of restricting a limited winery licensee to sell and deliver wine and
4 pomace brandy only to a wholesale licensee in the State; prohibiting certain
5 retail alcoholic beverages dealers from purchasing alcoholic beverages from a
6 winery licensee or a limited winery licensee; and generally relating to alcoholic
7 beverages sold in the State.

8 BY repealing and reenacting, with amendments,
9 Article 2B - Alcoholic Beverages
10 Section 2-205(b) and 12-107(a)
11 Annotated Code of Maryland
12 (2005 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article 2B - Alcoholic Beverages**

16 2-205.

17 (b) A Class 4 manufacturer's license:

18 (1) Is a limited winery license;

19 (2) Authorizes the holder to establish and operate in this State a plant
20 for fermenting and bottling wine and distilling and bottling pomace brandy made
21 from Maryland agriculture products at the location described in the license, unless
22 the Secretary of Agriculture determines that there is insufficient supply available of
23 Maryland agriculture products;

24 (3) Permits the license holder to:

25 (i) Sell and deliver this wine and pomace brandy to any
26 WHOLESALE licensee or permit holder in this State, or person outside of this State,
27 authorized to acquire it;

1 (ii) Sell this wine and pomace brandy made at the plant to persons
2 participating in a guided tour of the facility. The purchase is limited to one quart of
3 each brand per person per year. Any person who has attained the Maryland legal
4 drinking age may purchase the wine. The licensee may operate only in one location in
5 the State;

6 (iii) Serve at no charge not more than 6 ounces of wine and pomace
7 brandy made at the licensed facility to a person who is participating in a guided tour
8 of the facility, provided the person has attained the Maryland legal drinking age;

9 (iv) Sell by the glass wine and pomace brandy produced by the
10 licensee to persons participating in a guided tour of the facility or attending a
11 scheduled promotional event or other organized activity at the licensed premises; and

12 (v) Store on its licensed premises, in a segregated area approved by
13 the Comptroller, the product of other Class 4 limited wineries to be used at bona fide
14 Maryland Winery Association promotional activities, provided records are maintained
15 and reports filed as may be required by the Comptroller; and

16 (4) Limits the license holder to distilling and bottling not more than 200
17 gallons of pomace brandy each year.

18 12-107.

19 (a) No retail dealer, other than the holder of a Class E, Class F or Class G
20 license, shall purchase any alcoholic beverages except from a duly licensed
21 manufacturer OTHER THAN A CLASS 3 WINERY LICENSEE OR A CLASS 4 LIMITED
22 WINERY LICENSEE, wholesaler, or private bulk sale permit holder under the
23 provisions of this article, and no retail dealers shall sell to any other retail dealer any
24 alcoholic beverages except to the holder of a special Class C beer, beer and wine and
25 beer, wine and liquor license, and shall not at any time keep or permit to be kept upon
26 the licensed premises any alcoholic beverages except those so purchased.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2006.