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Maryland Department of Agriculture

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Maryland Department of Agriculture

Legislative Comment

Date: February 24, 2023

BILL NUMBER: SB 322

SHORT TITLE: ALCOHOLIC BEVERAGES- CLASS 4 LIMITED WINERY LICENSE-
FOOD SERVICE

MDA POSITION: SUPPORT

SB 322, if passed, will amend the current Class 4 Limited Winery License, making it similar to the Class 8 Farm Brewery License law. The expansion of the foods as well as the time during which foods are allowed to be served will increase the viability of wineries across the State. As farmers are looking to increase on farm value added practices and profitability, the food service opportunities at wineries need to be expanded. Having expanded food opportunities will strengthen the viability of the winery by providing additional revenue streams. These food opportunities will also improve the customer experience at the winery.

MDA supports SB 322 and thanks you for your consideration of a favorable report.

If you have additional questions, please contact Steve Connelly, Deputy Secretary, at steve.connelly@maryland.gov or (410) 841-5881.

One Pager Alcohol Day HB 246 SB 322.pdf

Uploaded by: Matthew Bohle

Position: FAV



HB 246 & SB 322

ALCOHOLIC BEVERAGES

CLASS 04 LIMITED WINERY LICENSE - FOOD SERVICE

POSITION: SUPPORT

BILL SUMMARY:

1. This legislation **enables** wineries to serve food beyond what is currently permitted for a Class 04 Winery. Wineries could serve additional food if they become licensed to operate as a food establishment and meet the same food/alcoholic beverage sales as a class D beer and wine licensee in the local jurisdiction.
2. A sponsor amendment adds the word “**prepare**” to the current statute containing the list of foods that a winery can currently sell or serve. This should resolve a recent question from Carroll County as to whether a winery may “prepare” the foods that are enumerated in the statute. A thorough review of the legislative history (Winery Modernization Act of 2010) indicates that “preparation” of food was contemplated – and it is hard to imagine that chili, soup, or pizza would be served in a “non-prepared” manner. This language ensures that wineries that choose not to become food establishments may “prepare” the food that is already permitted under their current license.
3. Extends operating hours to 10:00 am to 10:00 pm without the need for a planned promotional event, or other organized activity.

RATIONALE FOR SUPPORTING HB 246 & SB 322:

Consumer expectations drive change in industries. Marylanders now expect a greater level of food service from our wineries – which they see when they visit wineries in other states. • Wineries are often located in more rural areas with fewer food establishment options. • The ability to offer a wider range of foods serves a two-fold benefit: 1) provides the public with a fuller customer service experience, and 2) offers a positive public health impact.

- Consumers would like a complete experience, including food and a meal paired with their Maryland-made wine.

This change will help further drive tourism and economic growth in our agricultural areas of

the state, where many of our Maryland wineries are located.

- This change would create more equity and consistency among Maryland's farm-based craft alcohol producers, since Class 8 Farm breweries already have access to on-premise food and 10:00 am to 10:00 pm operating hours.

SB322 Wineries.pdf

Uploaded by: Pamela Beidle

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DEPUTY MAJORITY WHIP

Finance Committee

Chair, Executive Nominations Committee

Spending Affordability Committee

Joint Committee on Gaming Oversight

Joint Committee on Management of
Public Funds

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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 24, 2023

SB 322

Alcoholic Beverages – Class 4 Limited Winery License – Food Service

Good afternoon, Chair Griffith, Vice Chair Klausmeier, Members of the Committee.

Thank you for the opportunity today to present SB 322, Class 4 Limited Winery License – Food Service for your consideration. The goal of SB322 is to enable wineries, with the proper local licensing and permitting, to be able to serve more varieties of food – alongside their Maryland made wine.

I often enjoy visiting wineries when I travel, many that I have visited, offer a full menu to showcase their wines. Maryland does not currently have this option. Our wineries for over ten years, have been limited in the assortment of foods: cheeses, fruits, and pizza – they can offer their visitors. If we want our wine industry to continue to grow and build on the gains they have made over the past 20 years, we should enable them to do more.

This legislation enables wineries to go through the process to obtain the proper local licensing and serve additional food options that other food establishments can serve. This change allows wineries to serve food in the same way farm breweries are already allowed to do with their class 8 farm brewery license.

Expanding food options for wineries is important as:

- this level of food service is already permitted at Maryland farm breweries.
- It enables wineries to expand their food options, however it does not require them to do so.
- Provides Marylanders and tourist additional food options as wineries are often in rural locations.
- Additional food options promote public safety as food slows the rate at which alcohol is absorbed by a person's body.

There is one sponsor amendment, the amendment clarifies the legislative intent dating back to the Winery Modernization Act of 2010 that wineries are indeed able to “prepare” foods that

they may serve – such as pizzas, chili, soup, and others which wineries already serve to customers.

Marylanders deserve the ability to enjoy a nice meal at a winery, paired with Maryland made wine. Thank you for your time, and I urge a favorable report on this legislation.