



General Assembly

February Session, 2008

**Raised Bill No. 519**

LCO No. 2532

\*02532\_\_\_\_\_GL\_\*

Referred to Committee on General Law

Introduced by:  
(GL)

**AN ACT CONCERNING WINE FESTIVALS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 30-16 of the 2008 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective from passage*):

4 (e) (1) A manufacturer permit for a farm winery shall be in all  
5 respects the same as a manufacturer permit, except that the scope of  
6 operations of the holder shall be limited to wine and brandies distilled  
7 from grape products or other fruit products, including grappa and  
8 eau-de-vie. As used in this section, "farm winery" means any place or  
9 premises, located on a farm in the state in which wine is manufactured  
10 and sold.

11 (2) Such permit shall authorize (A) the sale in bulk by the holder  
12 thereof from the premises where the products are manufactured  
13 pursuant to such permit; (B) as to a manufacturer who produces one  
14 hundred thousand gallons of wine or less per year, the sale and  
15 shipment by the holder thereof to a retailer of wine manufactured by  
16 the farm winery permittee in the original sealed containers of not more

17 than fifteen gallons per container; (C) the sale and shipment by the  
18 holder thereof of wine manufactured by the farm winery permittee to  
19 persons outside the state; (D) the offering and tasting of free samples  
20 of such wine or brandy to visitors and prospective retail customers for  
21 consumption on the premises of the farm winery permittee; (E) the sale  
22 at retail from the premises of sealed bottles or other sealed containers  
23 of such wine or brandy for consumption off the premises; (F) the sale  
24 at retail from the premises of wine or brandy by the glass and bottle to  
25 visitors on the premises of the farm winery permittee for consumption  
26 on the premises; and (G) subject to the provisions of subdivision (3) of  
27 this subsection, the sale and delivery or shipment of wine  
28 manufactured by the permittee directly to a consumer in this state.  
29 Notwithstanding the provisions of subparagraphs (D), (E) and (F) of  
30 this subdivision, a town may, by ordinance or zoning regulation,  
31 prohibit any such offering, tasting or selling at retail at premises within  
32 such town for which a manufacturer permit for a farm winery has been  
33 issued.

34 (3) A permittee, when selling and shipping wine directly to a  
35 consumer in this state, shall: (A) Ensure that the shipping labels on all  
36 containers of wine shipped directly to a consumer in this state  
37 conspicuously state the following: "CONTAINS ALCOHOL—  
38 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR  
39 DELIVERY"; (B) obtain the signature of a person age twenty-one or  
40 older at the address prior to delivery, after requiring the signer to  
41 demonstrate that he or she is age twenty-one or older by providing a  
42 valid motor vehicle operator's license or a valid identity card described  
43 in section 1-1h; (C) not ship more than five gallons of wine in any two-  
44 month period to any person in this state; (D) pay, to the Department of  
45 Revenue Services, all sales taxes and alcoholic beverage taxes due  
46 under chapters 219 and 220 on sales of wine to consumers in this state,  
47 and file, with said department, all sales tax returns and alcoholic  
48 beverage tax returns relating to such sales; (E) report to the  
49 Department of Consumer Protection a separate and complete record of  
50 all sales and shipments to consumers in the state, on a ledger sheet or

51 similar form which readily presents a chronological account of such  
52 permittee's dealings with each such consumer; (F) not ship to any  
53 address in the state where the sale of alcoholic liquor is prohibited by  
54 local option pursuant to section 30-9; and (G) hold an in-state  
55 transporter's permit pursuant to section 30-19f or make any such  
56 shipment through the use of a person who holds such an in-state  
57 transporter's permit.

58 (4) No licensed farm winery may sell any such wine or brandy not  
59 manufactured by such winery, except a licensed farm winery may sell  
60 from the premises wine manufactured by another farm winery located  
61 in this state.

62 (5) The farm winery permittee shall produce on the premises of the  
63 farm winery or on property adjacent to and under the same ownership  
64 and control of said permittee within the state an average crop of fruit  
65 equal to not less than twenty-five per cent of the fruit used in the  
66 manufacture of the farm winery permittee's wine. An average crop  
67 shall be defined each year as the average yield of the farm winery  
68 permittee's two largest annual crops out of the preceding five years,  
69 except that during the first seven years from the date of issuance of a  
70 farm winery permit, an average crop shall be defined as three tons of  
71 grapes for each acre of vineyard farmed by the farm winery permittee.

72 (6) A holder of a manufacturer permit for a farm winery, when  
73 advertising or offering wine for direct shipment to a consumer in this  
74 state via the Internet or any other on-line computer network, shall  
75 clearly and conspicuously state such liquor permit number in its  
76 advertising.

77 (7) The annual fee for a manufacturer permit for a farm winery shall  
78 be two hundred forty dollars.

79 (8) Notwithstanding any provision of the general statutes to the  
80 contrary, upon written request, a not-for-profit entity shall be granted  
81 a permit by the Department of Consumer Protection to hold a two-day

82 festival each calendar year, on behalf of Connecticut farm wineries, at a  
83 location to be determined by the entity. The entity shall be allowed to  
84 sell wine by the glass and the bottle at the festival and shall be subject  
85 to the provisions of title 30.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-16(e)

**Statement of Purpose:**

To allow not-for-profit entities to hold wine festivals on behalf of Connecticut farm wineries.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*