



General Assembly

January Session, 2009

Committee Bill No. 312

LCO No. 4342

04342SB00312GL_

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING THE SALE OF CIDER AND APPLE WINE ON THE INTERNET.

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

1 Section 1. Subsection (c) of section 30-16 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2009*):

4 (c) (1) A manufacturer permit for cider not exceeding six per cent
5 alcohol by volume and apple wine not exceeding fifteen per cent
6 alcohol by volume shall allow the manufacture, storage, bottling, [and]
7 shipping, wholesale distribution and sale at retail of such cider and
8 apple wine to permittees and nonpermittees in this state as may be
9 permitted by law; but no such permit shall be issued unless the place
10 or the plan of the place of manufacture has received the approval of
11 the department.

12 (2) Such permit shall authorize (A) the sale and shipment by the
13 holder thereof of such cider and apple wine by such permittee to
14 persons outside the state; (B) the offering and tasting of free samples of
15 such cider and apple wine to visitors and prospective retail customers

16 for consumption on the premises of the permittee; (C) the sale at retail
17 from such premises of sealed bottles or other sealed containers of such
18 cider and apple wine for consumption off the premises; and (D) subject
19 to the provisions of subdivision (3) of this subsection, the sale and
20 delivery or shipment of cider and apple wine manufactured by the
21 permittee directly to a consumer in this state. Notwithstanding the
22 provisions of subparagraphs (B) and (C) of this subdivision, a town
23 may, by ordinance or zoning regulation, prohibit any such offering,
24 tasting or selling at retail at premises within such town.

25 (3) A permittee, when selling and shipping cider and apple wine
26 directly to a consumer in this state, shall: (A) Ensure that the shipping
27 labels on all containers of cider and apple wine shipped directly to a
28 consumer in this state conspicuously state the following: "CONTAINS
29 ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER
30 REQUIRED FOR DELIVERY"; (B) obtain the signature of a person age
31 twenty-one or older at the address prior to delivery, after requiring the
32 signer to demonstrate that he or she is age twenty-one or older by
33 providing a valid motor vehicle operator's license or a valid identity
34 card described in section 1-1h; (C) not ship more than five gallons of
35 cider and apple wine in any two-month period to any person in this
36 state; (D) pay, to the Department of Revenue Services, all sales taxes
37 and alcoholic beverage taxes due under chapters 219 and 220 on sales
38 of cider and apple wine to consumers in this state, and file, with said
39 department, all sales tax returns and alcoholic beverage tax returns
40 relating to such sales; (E) report to the Department of Consumer
41 Protection a separate and complete record of all sales and shipments to
42 consumers in the state, on a ledger sheet or similar form which readily
43 presents a chronological account of such permittee's dealings with
44 each such consumer; (F) not ship to any address in the state where the
45 sale of alcoholic liquor is prohibited by local option pursuant to section
46 30-9; and (G) hold an in-state transporter's permit pursuant to section
47 30-19f or make any such shipment through the use of a person who
48 holds such an in-state transporter's permit.

49 (4) No holder of a manufacturer permit for cider and apple wine
50 may sell any such cider and apple wine not manufactured by such
51 permittee, except such permittee may sell from the premises cider and
52 apple wine manufactured by another holder of a manufacturer permit
53 for cider and apple wine located in this state.

54 (5) A holder of a manufacturer permit for cider and apple wine,
55 when advertising or offering cider and apple wine for direct shipment
56 to a consumer in this state via the Internet or any other on-line
57 computer network, shall clearly and conspicuously state such
58 permittee's liquor permit number in its advertising.

59 (6) The annual fee for a manufacturer permit for cider shall be one
60 hundred sixty dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2009	30-16(c)

Statement of Purpose:

To allow for the sale of cider and apple wine produced in Connecticut via the Internet.

[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.]

Co-Sponsors: SEN. HARRIS, 5th Dist.; REP. PISCOPO, 76th Dist.

S.B. 312