

MANUFACTURER PERMIT FOR SPIRITS (LMS)

30-16(a) - STATUTE DEFINITION

"Spirits" means any beverage that contains alcohol obtained by distillation mixed with drinkable water and other substances in solution, including brandy, rum, whiskey and gin.

A manufacturer permit for spirits shall allow:

- the manufacture of spirits and the storage, bottling and wholesale distribution and sale of spirits manufactured or bottled to permittees in this state and without the state as may be permitted by law;
- no such permit shall be granted unless the place or the plan of the place of manufacture has received the approval of the Department of Consumer Protection.

The holder of a manufacturer permit for spirits who produces less than fifty thousand gallons of spirits in a calendar year may:

- sell at retail from the premises sealed bottles or other sealed containers of spirits manufactured on the premises for consumption off the premises, provided such holder shall not sell to any one consumer more than three liters of spirits per day nor more than five gallons of spirits in any two-month period.
- Retail sales by a holder of a manufacturer permit for spirits shall occur only on the days and times permitted under subsection (d) of section 30-91, as amended by this act.

A holder of a manufacturer permit for spirits, alone or in combination with any parent or subsidiary business or related or affiliated party, who sells more than ten thousand gallons of spirits in any calendar year may not sell spirits at wholesale to retail permittees within this state.

Such permit shall also authorize the offering and tasting, on the premises of the permittee, of free samples of spirits distilled on the premises.

- Such free samples of spirits distilled on the premises may be offered for consumption in combination with a nonalcoholic beverage.
- Tastings shall not exceed two ounces per patron per day and shall not be allowed on such premises on Sunday before eleven o'clock a.m. and after eight o'clock p.m. and on any other day before ten o'clock a.m. and after eight o'clock p.m.
- No tastings shall be offered to or allowed to be consumed by any minor or intoxicated person.

A holder of a manufacturer permit for spirits may apply for and shall receive an out-of-state shipper's permit for manufacturing plants and warehouse locations outside the state owned by such manufacturer or a subsidiary corporation thereof, at least eighty-five per cent of the voting stock of which is owned by such manufacturer, to bring into any of its plants or warehouses in the state spirits for reprocessing, repackaging, reshipment or sale either

(1) within the state to wholesaler permittees not owned or controlled by such manufacturer, or

(2) outside the state.

The annual fee for a manufacturer permit for spirits shall be one thousand eight hundred fifty dollars.