

MANUFACTURER PERMIT FOR WINE, CIDER & MEAD (LMW)

30-16(d) - STATUTE DEFINITION

"Wine" means any alcoholic beverage obtained by the fermentation of the natural sugar content of fruits, such as grapes or apples or other agricultural products, containing sugar, including fortified wines such as port, sherry and champagne.

"Mead" means fermented honey, with or without adjunct ingredients or additions, regardless of alcohol content, regardless of process, and regardless of being sparkling, carbonated or still.

(1) A manufacturer permit for wine, cider and mead shall allow:

- the manufacture of wine, cider not exceeding six per cent alcohol by volume, apple wine not exceeding fifteen per cent alcohol by volume, apple brandy, eau-de-vie and mead and the storage, bottling and wholesale distribution and sale of wine, cider not exceeding six per cent alcohol by volume, apple wine not exceeding fifteen per cent alcohol by volume, apple brandy, eau-de-vie and mead manufactured or bottled by the permit holder 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.

(2) Such permit shall, at a single principal premises, authorize

(A) the sale in bulk by the holder thereof from the premises where the products are manufactured pursuant to such permit;

(B) as to a manufacturer who produces one hundred thousand gallons or less per year of products manufactured pursuant to such permit, the sale and shipment by the holder thereof to a retailer of such products manufactured by the permittee in the original sealed containers of not more than fifteen gallons per container;

(C) the sale and shipment by the holder thereof of such products manufactured by the permittee to persons outside the state;

(D) the offering and tasting of free samples of such products, dispensed out of bottles or containers having capacities of not more than two gallons per bottle or container, to visitors and prospective retail customers for consumption on the premises of the permittee;

(E) subject to the provisions of subsection (d) of section 30-91, as amended by this act, the sale at retail from the premises of sealed bottles or other sealed containers of such products for consumption off the premises;

(F) the sale at retail from the premises of such products by the glass and bottle to visitors on the premises of the permittee for consumption on the premises; and

(G) subject to the provisions of subdivision (3) of this subsection, the sale and delivery or shipment of such products manufactured by the permittee directly to a consumer in this state. Notwithstanding the provisions of subparagraphs (D), (E) and (F) of this subdivision, a town may, by ordinance or zoning regulation, prohibit any such offering, tasting or selling at retail at premises within such town for which a manufacturer permit has been issued.

- (3) A permittee, when selling and shipping a product produced pursuant to this permit, directly to a consumer in this state, shall:
- (A) Ensure that the shipping labels on all containers of such products shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY";
 - (B) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h;
 - (C) not ship more than five gallons of product produced pursuant to this permit in any two-month period to any person in this state;
 - (D) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of products produced pursuant to this permit to consumers in this state, and file, with said department, all sales tax returns and alcoholic beverage tax returns relating to such sales;
 - (E) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer;
 - (F) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; and
 - (G) hold an in-state transporter's permit pursuant to section 30-19f, as amended by this act, or make any such shipment through the use of a person who holds such an in-state transporter's permit.
- (4) No holder of a manufacturer permit for wine, cider and mead may sell any product not manufactured by such permit holder, except such permittee may sell from the premises
- (A) wine, cider not exceeding six per cent alcohol by volume, apple wine not exceeding fifteen per cent alcohol by volume, apple brandy and eau-de-vie and mead manufactured by another such permit holder located in this state, and
 - (B) brandy manufactured from fruit harvested in this state and distilled off the premises in this state.
- (5) A holder of a manufacturer permit for wine, cider and mead, when advertising or offering products for direct shipment to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising.
- (6) A holder of a manufacturer permit for wine, cider and mead may sell and offer free tastings of products produced pursuant to such permit that are manufactured by such permit holder at a farmers' market, as defined in section 22-6r, that is operated as a nonprofit enterprise or association, provided such farmers' market invites such holder to sell such products at such farmers' market and such holder has a farmers' market sales permit issued by the Commissioner of Consumer Protection in accordance with the provisions of subsection (a) of section 30-37o, as amended by this act.
- (7) The annual fee for a manufacturer permit for wine, cider and mead shall be two hundred dollars.