

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH10246-RV-7 (03/23)

Short Title: Wine-Tasting Changes. (Public)

Sponsors: Representatives Gibson and Harrell (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AMEND THE REQUIREMENTS TO HOLD A WINE-TASTING PERMIT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-1001(15) reads as rewritten:

"(15) Wine-Tasting Permit. – A wine-tasting permit authorizes wine tastings on ~~the a premises conducted and supervised by the permittee. holding a retail permit, by the retail permit holder or his employee.~~ A wine tasting consists of the offering of a sample of one or more unfortified wine products, in amounts of no more than one ounce for each sample, without charge, to customers of the business. Any person pouring wine at a wine tasting shall be at least 21 years of age.

a. Representatives of the winery, which produced the wine, ~~or the wine producer~~ producer, a wholesaler or a wholesaler's employee may assist with the ~~tasting~~tasting in a manner consistent with existing law. by, including but not limited to:

1. Pouring samples for customers.
2. Checking the identification of patrons being served at the wine tasting.

b. When a representative of the winery which produced the wine, the wine producer, a wine wholesaler, or a wine wholesaler's employee assists in a wine tasting conducted by a retail permit holder:

1. The retail permit holder shall designate an employee to actively supervise the wine tasting.
2. A retail permit holder's employee shall not supervise more than three wine-tasting areas.

- 1 3. No more than six wines may be tasted at any one tasting
- 2 area.
- 3 4. The wine tasting shall not last longer than four hours
- 4 from the time designated as the starting time by the retail
- 5 permit holder.
- 6 c. The retail permit holder shall be solely liable for any violations
- 7 of law occurring in connection with the wine tasting.
- 8 The Commission shall adopt rules to assure that the tastings are limited
- 9 to samplings and not a subterfuge for the unlawful sale or distribution
- 10 of wine, and that the tastings are not used by industry members for
- 11 unlawful inducements to retail permit holders, and do not violate
- 12 existing rules. Except for purposes of this subsection, the holder of a
- 13 wine-tasting permit shall not be construed to hold a permit for the
- 14 on-premises sale or consumption of alcoholic beverages. Any food
- 15 business is eligible for a wine-tasting permit."

SECTION 2. This act is effective when it becomes law.