

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2003-430
SENATE BILL 750**

AN ACT TO INCREASE THE CEILING THAT A SMALL BREWERY MAY
PRODUCE WITHOUT BEING REQUIRED TO GO THROUGH A MALT
BEVERAGE DISTRIBUTOR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 18B-1104 reads as rewritten:

"§ 18B-1104. Authorization of brewery permit.

The holder of a brewery permit may:

- (1) Manufacture malt beverages;
- (2) Purchase malt, hops and other ingredients used in the manufacture of malt beverages;
- (3) Sell, deliver and ship malt beverages in closed containers to wholesalers licensed under this Chapter as authorized by the ABC laws, except that malt beverages may be sold to exporters and nonresident wholesalers only when the purchase is not for resale in this State;
- (4) Receive malt beverages manufactured by the permittee in some other state for transshipment to dealers in other states;
- (5) Furnish or sell marketable malt beverage products, or packages which do not conform to the manufacturer's marketing standards, if State taxes have been or will be paid, to its employees for the use of the employees or their families and guests in this State;
- (6) Give its products to its employees and guests for consumption on its premises;
- (7) In areas where the sale is legal, sell the brewery's malt beverages at the brewery upon receiving a permit under G.S. 18B-1001(1). The brewery also may obtain a malt beverage wholesaler permit to sell, deliver, and ship at wholesale only malt beverages manufactured by the brewery. The authorization of this subdivision applies to a brewery that sells, to consumers at the brewery, to wholesalers, to retailers, and to exporters, fewer than ~~310,000 gallons~~ 25,000 barrels, as defined in G.S. 81A-9, of malt beverages produced by it per year.

A sale or gift under subdivision (5) or (6) shall not be considered a retail or wholesale sale under the ABC laws."

SECTION 2. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 19th day of
July, 2003.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 1:37 p.m. this 19th day of August, 2003