



General Assembly

Substitute Bill No. 6241

January Session, 2023



AN ACT CONCERNING FARM WINERY PERMITTEES.

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2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (c) (1) A manufacturer permit for a farm winery shall be in all
5 respects the same as a manufacturer permit, except that the scope of
6 operations of the holder shall be limited to wine and brandies distilled
7 from grape products or other fruit products, including grappa and
8 eau-de-vie. As used in this section, "farm winery" means any place or
9 premises that is located on a farm in the state in which wine is
10 manufactured and sold.

11 (2) Such permit shall, at the single principal premises of the farm
12 winery, authorize (A) the sale in bulk by the holder thereof from the
13 premises where the products are manufactured pursuant to such
14 permit; (B) as to a manufacturer who produces one hundred thousand
15 gallons of wine or less per year, the sale and shipment by the holder
16 thereof to a retailer of wine manufactured by the farm winery
17 permittee in the original sealed containers of not more than fifteen
18 gallons per container; (C) the sale and shipment by the holder thereof
19 of wine manufactured by the farm winery permittee to persons outside

20 the state; (D) the offering and tasting of free samples of such wine or
21 brandy, dispensed out of bottles or containers having capacities of not
22 more than two gallons per bottle or container, to visitors and
23 prospective retail customers for consumption on the premises of the
24 farm winery permittee; (E) the sale at retail from the premises of sealed
25 bottles or other sealed containers of such wine or brandy for
26 consumption off the premises; (F) the sale at retail from the premises of
27 wine or brandy by the glass and bottle to visitors on the premises of
28 the farm winery permittee for consumption on the premises; and (G)
29 subject to the provisions of subdivision (3) of this subsection, the sale
30 and delivery or shipment of wine manufactured by the permittee
31 directly to a consumer in this state. Notwithstanding the provisions of
32 subparagraphs (D), (E) and (F) of this subdivision, a town may, by
33 ordinance or zoning regulation, prohibit any such offering, tasting or
34 selling at retail at premises within such town for which a manufacturer
35 permit for a farm winery has been issued.

36 (3) A permittee, when selling and shipping wine directly to a
37 consumer in this state, shall: (A) Ensure that the shipping labels on all
38 containers of wine shipped directly to a consumer in this state
39 conspicuously state the following: "CONTAINS ALCOHOL –
40 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
41 DELIVERY"; (B) obtain the signature of a person age twenty-one or
42 older at the address prior to delivery, after requiring the signer to
43 demonstrate that [he or she] such signer is age twenty-one or older by
44 providing a valid motor vehicle operator's license or a valid identity
45 card described in section 1-1h; (C) not ship more than five gallons of
46 wine in any two-month period to any person in this state; (D) pay, to
47 the Department of Revenue Services, all sales taxes and alcoholic
48 beverage taxes due under chapters 219 and 220 on sales of wine to
49 consumers in this state, and file, with said department, all sales tax
50 returns and alcoholic beverage tax returns relating to such sales; (E)
51 report to the Department of Consumer Protection a separate and
52 complete record of all sales and shipments to consumers in the state,
53 on a ledger sheet or similar form which readily presents a

54 chronological account of such permittee's dealings with each such
55 consumer; (F) not ship to any address in the state where the sale of
56 alcoholic liquor is prohibited by local option pursuant to section 30-9;
57 and (G) hold an in-state transporter's permit pursuant to section 30-19f
58 or make any such shipment through the use of a person who holds
59 such an in-state transporter's permit.

60 (4) No licensed farm winery may sell any such wine or brandy not
61 manufactured by such winery, except a licensed farm winery may sell
62 from the premises (A) wine manufactured by another farm winery
63 located in this state, and (B) brandy manufactured from fruit harvested
64 in this state and distilled off the premises in this state.

65 (5) [The] (A) Except as provided in subparagraph (B) of this
66 subdivision, the farm winery permittee shall grow on the premises of
67 the farm winery or on property under the same ownership and control
68 of said permittee or leased by the backer of a farm winery permit or by
69 said permittee within the farm winery's principal state an average crop
70 of fruit equal to not less than twenty-five per cent of the fruit used in
71 the manufacture of the farm winery permittee's wine. An average crop
72 shall be defined each year as the average yield of the farm winery
73 permittee's two largest annual crops out of the preceding five years,
74 except that during the first seven years from the date of issuance of a
75 farm winery permit, an average crop shall be defined as three tons of
76 grapes for each acre of vineyard farmed by the farm winery permittee.
77 Such seven-year period shall not begin anew if the property for which
78 the farm winery permit is held is transferred or sold during such
79 seven-year period. In the event the farm winery consists of more than
80 one property, the aggregate acreage of the farm winery shall not be
81 less than five acres.

82 (B) If a farm winery permittee sustains a total loss of the farm
83 winery permittee's crop of fruit, such farm winery permittee shall, not
84 later than December thirty-first of the year in which such farm winery
85 permittee sustains such total loss, certify to the Commissioner of
86 Agriculture, in a form and manner prescribed by the Commissioner of

87 Agriculture, that such farm winery permittee has sustained such total
88 loss. If the Commissioner of Agriculture determines, in the
89 Commissioner of Agriculture's discretion, that such farm winery
90 permittee sustained such total loss through no fault of such farm
91 winery permittee, such farm winery permittee's crop of fruit for the
92 year in which such farm winery permittee sustained such total loss
93 shall not be deemed to constitute part of, count toward or be used to
94 determine whether such farm winery permittee's crop of fruit satisfies
95 the average crop requirement established in subparagraph (A) of this
96 subdivision. For the purposes of this subparagraph, the Commissioner
97 of Agriculture shall, in the Commissioner of Agriculture's discretion,
98 determine whether a qualitative or quantitative reduction in crop yield
99 suffered by a farm winery permittee constitutes a total loss.

100 (6) A holder of a manufacturer permit for a farm winery, when
101 advertising or offering wine for direct shipment to a consumer in this
102 state via the Internet or any other on-line computer network, shall
103 clearly and conspicuously state such liquor permit number in its
104 advertising.

105 (7) A holder of a manufacturer permit for a farm winery may sell
106 and offer free tastings of wine manufactured from such winery at a
107 farmers' market, as defined in section 22-6r, that is operated as a
108 nonprofit enterprise or association, provided such farmers' market
109 invites such holder to sell wine at such farmers' market and such
110 holder has a farmers' market wine sales permit issued by the
111 Commissioner of Consumer Protection in accordance with the
112 provisions of subsection (a) of section 30-37o.

113 (8) A holder of a manufacturer permit for a farm winery may, with
114 the prior approval of the Department of Consumer Protection, sell
115 wine, brandies, grappa and eau-de-vie manufactured by such farm
116 winery permittee at not more than three retail outlets in addition to
117 such farm winery permittee's permit premises, provided (A) each such
118 retail outlet is located on land that is leased or owned by the backer of
119 the farm winery permit and such farm winery permittee utilizes such

120 land to grow fruit or produce alcoholic beverages manufactured by the
121 farm winery, and (B) no such retail outlet is located within a grocery
122 store, as defined in section 30-20.

123 [(8)] (9) The annual fee for a manufacturer permit for a farm winery
124 shall be three hundred dollars.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	30-16(c)
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GL *Joint Favorable Subst.*