

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1500

Short Title: Wine-Tasting Changes.

(Public)

Sponsors: Representatives Gibson and Harrell (Primary Sponsors).

Referred to: Alcoholic Beverage Control.

April 21, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE REQUIREMENTS TO HOLD A WINE-TASTING
3 PERMIT.

4 The General Assembly of North Carolina enacts:

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

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

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

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

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

- 24 1. The retail permit holder shall designate an employee to
25 actively supervise the wine tasting.
26 2. A retail permit holder's employee shall not supervise
27 more than three wine-tasting areas.
28 3. No more than six wines may be tasted at any one tasting
29 area.

1 4. The wine tasting shall not last longer than four hours
2 from the time designated as the starting time by the retail
3 permit holder.

4 c. The retail permit holder shall be solely liable for any violations
5 of law occurring in connection with the wine tasting.

6 The Commission shall adopt rules to assure that the tastings are limited
7 to samplings and not a subterfuge for the unlawful sale or distribution
8 of wine, and that the tastings are not used by industry members for
9 unlawful inducements to retail permit holders, and do not violate
10 existing rules. Except for purposes of this subsection, the holder of a
11 wine-tasting permit shall not be construed to hold a permit for the
12 on-premises sale or consumption of alcoholic beverages. Any food
13 business is eligible for a wine-tasting permit."

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