
State Government & Tribal Affairs
Committee

HB 1172

Brief Description: Concerning beer and wine tasting at farmers markets.

Sponsors: Representatives Kenney, Hasegawa, Maxwell, Finn, Ryu, Reykdal and Upthegrove.

Brief Summary of Bill

- Creates a pilot project for beer and wine tasting at farmers markets.

Hearing Date: 1/19/11

Staff: Joan Elgee (786-7106).

Background:

Wineries and microbreweries may obtain an endorsement from the Liquor Control Board (Board) to sell their products for off-premises consumption at qualifying farmers markets. Farmers markets must meet certain criteria and receive authorization from the Board to allow beer or wine sales.

Sampling of beer and wine is permitted in some circumstances. Beer and/or wine specialty shops may serve samples of two ounces or less to a customer. Legislation passed in 2010 allows certain grocery stores to conduct tastings with an endorsement issued by the Board. Microbreweries and wineries may also serve samples. A farmers market endorsement to a microbrewery or winery license, however, does not authorize tasting at a farmers market.

Persons who serve alcohol for on-premises consumption on licensed retail premises must obtain a Mandatory Alcohol Server Training (MAST) permit.

An Alcohol Impact Area (AIA) is a geographic area, designated by a local government and recognized by resolution of the Board, that is adversely affected by chronic public inebriation or

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illegal activity associated with alcohol sales or consumption. The Board may place restrictions on licensees located in an AIA.

Summary of Bill:

The Board is directed to establish a pilot project for beer and wine tasting at farmers markets. The pilot project is for 10 farmers markets with at least six days of tastings at each location between September 1, 2011, and November 1, 2012. Only one winery or microbrewery may offer samples at a farmers market per day.

Farmers markets chosen to participate in the pilot project must be authorized, as of January 1, 2011, for winery sales and must also be authorized for microbrewery sales if a microbrewery is providing samples. Microbreweries and wineries offering samples must hold an endorsement to sell at farmers markets on January 1, 2011. In selecting farmers markets, the Board must consult with statewide organizations of farmers markets and make an effort to select farmers markets throughout the state.

A number of conditions for sampling must be met:

- Samples must be two ounces or less, up to a total of four ounces per customer per day, and no more than one sample of any single brand and type may be provided to a customer per day.
- Customers must remain at the designated stall, booth, or other designated location while sampling beer or wine.
- A microbrewery or winery may advertise sampling only at its designated location at the farmers market.
- A microbrewery or winery must have food available or be adjacent to a vendor offering prepared food.

Microbrewery and winery licensees and employees who are involved in sampling activities must hold a Mandatory Alcohol Server Training (MAST) permit.

The Board may prohibit sampling at a farmers market within an Alcohol Impact Area (AIA) if the Board finds that tasting at the farmers market is having an adverse effect on the reduction of chronic public inebriation in the area.

The Board may establish additional requirements to ensure that persons under 21 years of age and apparently intoxicated persons cannot possess or consume alcohol.

The Board must report to the appropriate committees of the Legislature on the pilot project by December 1, 2012.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.