

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James Arciero*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to instructional winemaking facility licenses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>9/5/2013</i>

**HOUSE . . . . . No.**

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By Mr. Arciero of Westford, a petition (subject to Joint Rule 12) of James Arciero relative to the licensing of instructional winemaking. Consumer Protection and Professional Licensure.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
\_\_\_\_\_

An Act relative to instructional winemaking facility licenses.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1 Chapter 138 of the general laws is hereby amended by adding the  
2 following new section, Section 25G:

3           Section 25G

4           Instructional Winemaking Facility License. The holder of this license shall be entitled,  
5 subject to rules and regulations, to instruct persons in and provide them with the opportunity to  
6 participate directly in the process of winemaking while in the process of instruction on the  
7 premises of the facility. The holder of this license also shall be entitled to manufacture wine on  
8 the premises not in excess of an amount of 10% of the wine produced annually on the premises  
9 of the facility, which shall be used only to replace quantities lost or discarded during the  
10 winemaking process, to maintain a warehouse, and to offer samples produced by persons who  
11 have received instruction in winemaking on the premises by the licensee for sampling purposes  
12 only on the licensed premises for the purpose of promoting winemaking for personal or  
13 household use or consumption. Wine produced on the premises of an instructional winemaking  
14 facility shall be used, consumed or disposed of on the facility’s premises or distributed from the  
15 facility’s premises to a person who has participated directly in the process of winemaking for the  
16 person’s personal or household use or consumption. The holder of this license may sell  
17 mercantile items traditionally associated with winemaking and novelty wearing apparel  
18 identified with the name of the establishment licensed under the provisions of this section. The  
19 holder of this license may use the licensed premises for an event or affair, including an event or  
20 affair at which a plenary retail consumption licensee serves alcoholic beverages in compliance  
21 with all applicable statutes and regulations promulgated by the director. The fee for this license  
22 shall be all applicable statutes and regulations promulgated by the director. The fee for this

23 license shall be \$1,000. For the purposes of this subsection, “sampling” means the gratuitous  
24 offering of an open container not exceeding one and one-half ounces of any wine.