SENATE DOCKET, NO. 872 FILED ON: 1/19/2017

SENATE . . . . . No. 124

The Commonwealth of Massachusetts

PRESENTED BY:

Adam G. Hinds

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 authorizing the sale of farmer-distiller products at farmers' markets.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Adam G. Hinds	*Berkshire, Hampshire, Franklin and Hampden*	
Smitty Pignatelli	*4th Berkshire*	*1/25/2017*
John W. Scibak	*2nd Hampshire*	*2/2/2017*
Gailanne M. Cariddi	*1st Berkshire*	*2/2/2017*
James B. Eldridge	*Middlesex and Worcester*	*2/2/2017*
Donald F. Humason, Jr.	*Second Hampden and Hampshire*	*2/6/2017*
Chris Walsh	*6th Middlesex*	*2/6/2017*

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SENATE . . . . . No. 124

By Mr. Hinds, a petition (accompanied by bill, Senate, No. 124) of Adam G. Hinds, William Smitty Pignatelli, John W. Scibak, Gailanne M. Cariddi and other members of the General Court for legislation to authorize the sale of farmer-distiller products at farmers' markets. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *138* OF 2015-2016.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act authorizing the sale of farmer-distiller products at farmers' markets.

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

Chapter 138 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the first paragraph in section 15F and inserting in place thereof the following paragraph:-

Section 15F. Notwithstanding any other provision of chapter 138, in any city or town wherein the granting of licenses to sell wine or distilled products is authorized under this chapter, the local licensing authority may issue to an applicant authorized to operate a farmer-winery under section 19B or a farmer-distillery under section 19E, a special license for the sale of products produced by or for the licensee in sealed containers for off-premise consumption at an indoor or outdoor agricultural event. All sales of such products shall be conducted by an agent,

representative, or solicitor of the licensee to customers who are at least 21 years of age. A licensee under this section may provide, without charge, samples of such products to prospective customers at an indoor or outdoor agricultural event. All samples shall be served by an agent, representative, or solicitor of the licensee to individuals who are at least 21 years of age and all samples shall be consumed in the presence of such agent, representative, or solicitor of the licensee; provided, however, that no sample shall exceed 1 ounce of such products and no more than 5 samples shall be served to an individual prospective customer. For the purposes of this section, the term “agricultural event” shall be limited to those events certified by the department of agricultural resources as set forth in this section.