

SENATE No. 2433

The Commonwealth of Massachusetts

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

SENATE, Tuesday, April 17, 2018

The committee on Consumer Protection and Professional Licensure, to whom was referred the 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,- reports the accompanying bill (Senate, No. 2433).

For the committee,
Barbara A. L'Italien

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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:

1 Chapter 138 of the General Laws, as appearing in the 2016 Official Edition, is hereby
2 amended by striking out the first paragraph in section 15F and inserting in place thereof the
3 following paragraph:-

4 Section 15F. Notwithstanding any other provision of chapter 138, in any city or town
5 wherein the granting of licenses to sell wine or distilled products is authorized under this chapter,
6 the local licensing authority may issue to an applicant authorized to operate a farmer-winery
7 under section 19B or a farmer-distillery under section 19E, a special license for the sale of
8 products produced by or for the licensee in sealed containers for off-premise consumption at an
9 indoor or outdoor agricultural event. All sales of such products shall be conducted by an agent,
10 representative, or solicitor of the licensee to customers who are at least 21 years of age. A
11 licensee under this section may provide, without charge, samples of such products to prospective
12 customers at an indoor or outdoor agricultural event. All samples shall be served by an agent,
13 representative, or solicitor of the licensee to individuals who are at least 21 years of age and all
14 samples shall be consumed in the presence of such agent, representative, or solicitor of the

15 licensee; provided, however, that no sample shall exceed one quarter (.25) ounce of such
16 products and no more than 4 samples shall be served to an individual prospective customer. For
17 the purposes of this section, the term “agricultural event” shall be limited to those events
18 certified by the department of agricultural resources as set forth in this section.