

**HOUSE . . . . . No. 149**

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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:

*James Arciero*

DISTRICT/ADDRESS:

*2nd Middlesex*

**HOUSE . . . . . No. 149**

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By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 149) of James Arciero relative to the licensing of instructional winemaking facilities. Consumer Protection and Professional Licensure.

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

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:

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4           Section 25G Instructional Winemaking Facility License.

5           The holder of this license shall be entitled, subject to rules and regulations, to instruct  
6 persons in and provide them with the opportunity to participate directly in the process of  
7 winemaking while in the process of instruction on the premises of the facility. The holder of this  
8 license also shall be entitled to manufacture wine on the premises not in excess of an amount of  
9 10% of the wine produced annually on the premises of the facility, which shall be used only to  
10 replace quantities lost or discarded during the winemaking process, to maintain a warehouse, and  
11 to offer samples produced by persons who have received instruction in winemaking on the  
12 premises by the licensee for sampling purposes only on the licensed premises for the purpose of

13 promoting winemaking for personal or household use or consumption. Wine produced on the  
14 premises of an instructional winemaking facility shall be used, consumed or disposed of on the  
15 facility's premises or distributed from the facility's premises to a person who has participated  
16 directly in the process of winemaking for the person's personal or household use or  
17 consumption. The holder of this license may sell mercantile items traditionally associated with  
18 winemaking and novelty wearing apparel identified with the name of the establishment licensed  
19 under the provisions of this section. The holder of this license may use the licensed premises for  
20 an event or affair, including an event or affair at which a plenary retail consumption licensee  
21 serves alcoholic beverages in compliance with all applicable statutes and regulations  
22 promulgated by the director. The fee for this license shall be all applicable statutes and  
23 regulations promulgated by the director. The fee for this license shall be \$1,000. For the  
24 purposes of this subsection, "sampling" means the gratuitous offering of an open container not  
25 exceeding one and one-half ounces of any wine.