

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 750  
Commerce Committee Substitute Adopted 4/23/03  
House Committee Substitute Favorable 7/16/03

Short Title: Permit Limit for Breweries.

(Public)

Sponsors:

Referred to:

April 3, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE THE CEILING THAT A SMALL BREWERY MAY  
3 PRODUCE WITHOUT BEING REQUIRED TO GO THROUGH A MALT  
4 BEVERAGE DISTRIBUTOR.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 18B-1104 reads as rewritten:  
7 "§ 18B-1104. Authorization of brewery permit.

8 The holder of a brewery permit may:

- 9 (1) Manufacture malt beverages;
- 10 (2) Purchase malt, hops and other ingredients used in the manufacture of  
11 malt beverages;
- 12 (3) Sell, deliver and ship malt beverages in closed containers to  
13 wholesalers licensed under this Chapter as authorized by the ABC  
14 laws, except that malt beverages may be sold to exporters and  
15 nonresident wholesalers only when the purchase is not for resale in this  
16 State;
- 17 (4) Receive malt beverages manufactured by the permittee in some other  
18 state for transshipment to dealers in other states;
- 19 (5) Furnish or sell marketable malt beverage products, or packages which  
20 do not conform to the manufacturer's marketing standards, if State  
21 taxes have been or will be paid, to its employees for the use of the  
22 employees or their families and guests in this State;
- 23 (6) Give its products to its employees and guests for consumption on its  
24 premises;
- 25 (7) In areas where the sale is legal, sell the brewery's malt beverages at the  
26 brewery upon receiving a permit under G.S. 18B-1001(1). The  
27 brewery also may obtain a malt beverage wholesaler permit to sell,  
28 deliver, and ship at wholesale only malt beverages manufactured by

1                   the brewery. The authorization of this subdivision applies to a brewery  
2                   that sells, to consumers at the brewery, to wholesalers, to retailers, and  
3                   to exporters, fewer than ~~310,000 gallons~~ 40,000 barrels, as defined in  
4                   G.S. 81A-9, of malt beverages produced by it per year.

5           A sale or gift under subdivision (5) or (6) shall not be considered a retail or  
6   wholesale sale under the ABC laws."

7           **SECTION 2.** This act is effective when it becomes law.