



HOUSE BILL 532: Hard Apple Cider/Growlers

2015-2016 General Assembly

Committee:	Rules, Calendar, and Operations of the House	Date:	April 29, 2015
Introduced by:	Reps. McGrady, Jeter, West, Fisher	Prepared by:	Bill Patterson
Analysis of:	PCS to First Edition H532-CSTG-20		Committee Counsel

SUMMARY: *The PCS for House Bill 532 would permit retailers holding unfortified wine permits to sell cider and other forms of unfortified wine for off-premises consumption if dispensed from a qualified container into a growler (a cleaned, sanitized, resealable container) that is sealed for consumption off of the premises, and makes other technical and conforming changes. Sections 1 and 2 of the PCS replace Sections 1, 2, and 3 of the original bill in their entirety.*

CURRENT LAW: Cider is classified as an unfortified wine¹ and may be sold by retailers holding unfortified wine permits issued by the North Carolina Alcoholic Beverage Control Commission (Commission). Under current law, permittees may sell unfortified wine in the manufacturer's original container for consumption off the premises.

BILL ANALYSIS: **Section 1** of the PCS would amend G.S. 18B-1001 by removing incorrect citations to rules regulating the filling of a growler with malt beverages,² and would allow the holders of both off-premises and on-premises unfortified wine permits to sell unfortified wine for off-premises consumption if dispensed from a tap connected to a pressurized container utilizing carbon dioxide or similar gas into a cleaned, sanitized, resealable container that is filled or refilled and sealed for consumption off-premises and that identifies the permittee and the date the container was filled or refilled.

Section 2 of the PCS would apply the Commission's existing rules governing the retail sale of malt beverages in growlers to the retail sale of unfortified wine in growlers until the Commission adopts rules implementing this act.

EFFECTIVE DATE: This act is effective when it becomes law.

¹ Unfortified wine is " any wine of sixteen percent (16%) or less alcohol by volume made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States." G.S. 18B-101(18).

² The current citations are to rules found in Chapter 2 (ABC Commission) of NCAC Title 4 (Department of Commerce). The ABC Commission has been moved from Commerce to the Department of Public Safety, but the North Carolina Administrative Code does not yet reflect the transfer of the ABC Commission rules to NCAC Title 14B (Department of Public Safety).

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