

20-X- 5-.15 Permits for Off-Site Tasting Rooms for In State Wine Manufacturers and a Winery Association

- (1). Application for a permit.
 - (a). An application for a permit shall be in a form prescribed by the Board. Each applicant shall sign and swear to the application.
 - (b). Only one permit for one off-site tasting room shall be issued to a **licensed** manufacturer licensee per license year.
 - (c). Once issued a permit shall be valid for the balance of the license year unless surrendered, suspended or revoked.

- (2). Requirements.
 - (a.) To be eligible to receive and hold a permit, an applicant must already hold a valid manufacturer license.
 - (b). The permitted premises shall be regarded the same as a licensed premises.
 - (c). Evidence of ownership or a lease for the real property where the applicant's off-site tasting room will be located.
 - (d). Any other information as may, at their discretion, be requested by the Board.

- (3) Factors to Fulfill before Issuance of a Permit. Before issuing a permit the Board shall be satisfied that the applicant is a suitable person to hold an ABC permit and that the location is suitable for a tasting room. The location shall:
 - (a). Have been awarded approval from the local governing body.
 - (b). Meet all the requirements for on-premises licensees enumerated in Rule 20-X-6-.02.
 - (c). The off-site tasting room shall be limited to only one building or one premises within one building.

- (4). Requirements of Financial Responsibility of a Permit Holder. All permit holders shall maintain liquor liability insurance as prescribed by Rule 20-X-5-.14. Coverage shall specifically include the off-site tasting room location.

- (5). Regulation of Off-Site Tasting Rooms. In addition to all other requirements of law or rules and regulations of the ABC Board, all off-site tasting rooms shall comply with the following conditions:
 - (a). No one under 21 years of age may dispense or serve alcohol.
 - (b). All service for on-premise consumption shall be conducted by servers. No self-service permitted.
 - (c). All sales and consumptions must take place inside the licensed premise.
 - (d). Only products manufactured at the winery's primary premises may be sold at the off-site tasting room.
 - (e). Only products that have previously been approved for sale in the State may be sold or given away on the permitted premises.
 - (f). Records from wine sales and tastings shall be maintained at the permitted premises for three years. A duplicate record shall be maintained at the primary winery premises.

- (6). The winery association shall verify yearly that it represents a majority of the in-state wineries.

- (7). The board may, itself initiate, investigate and, if appropriate, disapprove and prohibit the **continued** tastings of any permitted site found to be operating in violation with the rules.