

S.163

Introduced by Senator Benning

Referred to Committee on

Date:

Subject: Alcoholic beverages; malt beverages; growlers

Statement of purpose of bill as introduced: This bill proposes to authorize first-, second-, and first- and third-class licensees to sell malt beverages in clean growlers for off-premises consumption.

An act relating to the sale of malt beverages in growlers

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 7 V.S.A. chapter 3 is amended to read:

CHAPTER 3. SALE OF ALCOHOLIC BEVERAGES;

REQUIREMENTS; PROHIBITED ACTS

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§ 70. SALE OF MALT BEVERAGES IN GROWLERS

(a) As used in this section, “growler” means a resealable, sanitary container with a volume of 32 or 64 fluid ounces that is made from glass, stainless steel, or a similar material approved by the Liquor Control Board.

1        (b) A first-, second-, or first- and third-class licensee may sell malt  
2        beverages by the growler to a consumer of legal age subject to the following  
3        conditions:

4                (1) The licensee shall notify the Department of Liquor Control of its  
5        intent to sell malt beverages in growlers.

6                (2) The licensee shall fill a growler from a direct sealed draught system  
7        at the time of the consumer's request and shall not offer for sale a prefilled  
8        growler.

9                (3) The licensee shall fill only clean growlers furnished by the licensee.

10               (4) The licensee shall affix a tag or label to each growler stating the  
11        name of the licensee, the product name, the alcohol content by volume, the  
12        name of the manufacturer, and a notice that the malt beverage is best if  
13        consumed within 72 hours of filling.

14        Sec. 2. 7 V.S.A. § 222 is amended to read:

15        § 222. FIRST- AND SECOND-CLASS LICENSES; GRANTING OF; SALE  
16                TO MINORS; CONTRACTING FOR FOOD SERVICE

17               With the approval of the Liquor Control Board, the control commissioners  
18        may grant the following licenses to a retail dealer for the premises where the  
19        dealer carries on business:

20               (1)(A) Upon making application and paying the license fee provided in  
21        section 231 of this title and upon satisfying the Liquor Control Board that the

1 premises are leased, rented, or owned by the retail dealer, are devoted  
2 primarily to dispensing meals to the public, except in the case of a club or  
3 cabaret, and have adequate and sanitary space and equipment for preparing and  
4 serving meals, a first-class license, which authorizes the dealer to sell malt and  
5 vinous beverages for consumption ~~only~~ on those premises, ~~and upon satisfying~~  
6 ~~the Liquor Control Board that the premises are leased, rented, or owned by the~~  
7 ~~retail dealer and are devoted primarily to dispensing meals to the public, except~~  
8 ~~clubs and cabarets, and that the premises have adequate and sanitary space and~~  
9 ~~equipment for preparing and serving meals.~~

10 (B) The term “public” includes patrons of hotels, boarding houses,  
11 restaurants, dining cars, and similar places where meals are served.

12 (C) A retail dealer carrying on business in more than one place shall  
13 acquire a first-class license for each place where the retail dealer sells malt and  
14 vinous beverages.

15 (D) No malt or vinous beverages shall be sold by a first-class licensee  
16 to a minor.

17 (E)(i) Partially consumed bottles of vinous beverages or specialty  
18 beers that were purchased with a meal may be removed from first-class  
19 licensed premises provided the beverages are recapped or resealed.

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