

ASSEMBLY BILL

No. 351

Introduced by Assembly Member Chesbro

February 10, 2011

An act to amend Section 25503.5 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 351, as introduced, Chesbro. Alcoholic beverages: instruction: tastings.

The Alcoholic Beverage Control Act permits a winegrower, beer manufacturer, or a beer and wine wholesaler to instruct licensees and their employees on the subject of wine or beer, including but not limited to, the history, nature, values, and characteristics of those beverages, as provided.

This bill would specifically reference the composition of the beer or wine as a subject which may be included in this type of instruction.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25503.5 of the Business and Professions
- 2 Code is amended to read:
- 3 25503.5. (a) A winegrower, beer manufacturer, or a beer and
- 4 wine wholesaler may, without charge, instruct licensees and their
- 5 employees, or conduct courses of instruction for licensees and
- 6 their employees, on the subject of wine or beer, including but not
- 7 limited to, the history, nature, values, *composition*, and

1 characteristics of wine or beer, the use of wine lists, and the
2 methods of presenting and serving wine or beer. The winegrower,
3 beer manufacturer, or beer and wine wholesaler may furnish wine
4 or beer and the equipment, materials and utensils that may be
5 required for use in connection with the instruction or courses of
6 instruction.

7 (b) A distilled spirits manufacturer, distilled spirits
8 manufacturer’s agent, distilled spirits general rectifier, or distilled
9 spirits general importer may, without charge, instruct licensees
10 and their employees, or conduct courses of instruction for licensees
11 and their employees, on the subject of distilled spirits, including,
12 but not limited to, the history, nature, values, and characteristics
13 of distilled spirits, and the methods of presenting and serving
14 distilled spirits. The distilled spirits manufacturer or distilled spirits
15 manufacturer’s agent may furnish distilled spirits and the
16 equipment, materials, and utensils that may be required for use in
17 connection with the instruction or courses of instruction.

18 (c) A winegrower or distilled spirits manufacturer, or its
19 authorized agent may instruct consumers at an on-sale retail
20 licensed premises authorized to sell its product with the permission
21 of the retail on-sale licensee. The instruction may include, without
22 limitation, the history, nature, values, and characteristics of the
23 product and the methods of presenting and serving the product.
24 The instruction of consumers may include the furnishing of not
25 more than three tastings to any individual in one day. A single
26 tasting of distilled spirits may not exceed one-fourth of one ounce
27 and a single tasting of wine may not exceed one ounce. The
28 winegrower or distilled spirits manufacturer, or its authorized agent
29 shall remove any unfinished alcoholic beverages that he or she
30 provided following the instruction. Nothing in this subdivision
31 shall limit the giving away of samples pursuant to subdivision (a)
32 of Section 23386.

33 (d) The instruction or courses of instruction, authorized in
34 subdivision (a) or (b), may be given at the premises of the
35 winegrower, beer manufacturer, beer and wine wholesaler, distilled
36 spirits manufacturer, distilled spirits manufacturer’s agent, distilled
37 spirits general rectifier, distilled spirits general importer or of a
38 licensee, including an on-sale retail licensee, or elsewhere.

O