

AMENDED IN ASSEMBLY JANUARY 13, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 683

Introduced by Assembly Member Wiggins

February 23, 1999

An act to amend Section ~~25503.4~~ 25504.5 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 683, as amended, Wiggins. Alcoholic beverages: tied-house restrictions.

~~Existing law generally prohibits a manufacturer, winegrower, manufacturer's agent, California winegrower's agent, rectifier, distiller, bottler, importer, or wholesaler, or any officer, director, or agent of that person from, among other things, providing a licensee alcoholic beverages as free goods as a part of any sale or transaction involving alcoholic beverages, or furnishing anything of value to a licensee for specified purposes. However, existing law authorizes any winegrower, California winegrower's agent, importer, or any director, partner, officer, agent, or representative of that person, to conduct or participate in an instructional event for consumers held at a retailer's premises featuring wines produced by or for the winegrower or imported by the importer, subject to certain specified conditions. In this connection, existing law permits a winegrower, California winegrower's agent, or wine importer, in advance of an instructional event for consumers being held at a retailer's~~

~~premises, to list in an advertisement the name and address of the retailer, the names of the wines being featured at the instructional event, and the time, date, location of, and other information about, the instructional event, if certain requirements are met.~~

~~This bill would delete the above authorization relating to advertisements.~~

The Alcoholic Beverage Control Act contains limitations on sales commonly known as “tied-house” restrictions, which generally prohibit a manufacturer, winegrower, manufacturer’s agent, California winegrower’s agent, rectifier, distiller, bottler, importer, or wholesaler from engaging in specified practices regarding licensees. Existing law exempts from these provisions the occasional inspection and cleaning by beer manufacturers and wholesalers of beer taps and tapping equipment installed in retail on-sale premises.

This bill would exempt from those provisions the occasional inspection and cleaning by wine growers and wholesalers of wine taps and tapping equipment installed in retail on-sale premises.

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 25503.4 of the Business and~~
2 *SECTION 1. Section 25504.5 of the Business and*
3 *Professions Code is amended to read:*
4 25504.5. (a) The provisions of Sections 25500 to 25503,
5 inclusive, and of Section 25600 do not apply to the
6 occasional inspection and cleaning by beer
7 manufacturers and wholesalers of beer taps and tapping
8 equipment installed in retail on-sale premises.
9 (b) *The provisions of Sections 25500, 25502, 25503, and*
10 *25600 do not apply to the occasional inspection and*
11 *cleaning by wine growers and wholesalers of wine taps*
12 *and tapping equipment installed in retail on-sale*
13 *premises.*



1 (c) This section does not constitute a change in, but is
2 declaratory of, the ~~pre-existing~~ *preexisting* law.

3 Professions Code is amended to read:

4 ~~25503.4. (a) Notwithstanding any other provision of~~
5 ~~this division, a winegrower, California winegrower's~~
6 ~~agent, wine importer, or any director, partner, officer,~~
7 ~~agent, or representative of that person, may conduct or~~
8 ~~participate in, and serve wine at, an instructional event~~
9 ~~for consumers held at a retailer's premises featuring~~
10 ~~wines produced by or for the winegrower or, imported by~~
11 ~~the wine importer, subject to the following conditions:~~

12 ~~(1) No premium, gift, free goods, or other thing of~~
13 ~~value shall be given away in connection with the~~
14 ~~instructional event by the winegrower, California~~
15 ~~winegrower's agent, wine importer, or retailer, except as~~
16 ~~authorized by this division.~~

17 ~~(2) No alcoholic beverages shall be given away in~~
18 ~~connection with the instructional event; provided,~~
19 ~~however, that wine, taken from barrels or from tanks,~~
20 ~~may be sampled at the instructional event. For the~~
21 ~~purposes of this section, minimal amounts of the samples~~
22 ~~provided for tasting at the instructional event in addition~~
23 ~~to the wines being featured shall not constitute a thing of~~
24 ~~value.~~

25 ~~(b) Notwithstanding any other provision of this~~
26 ~~division, the name and address of a winegrower, wine~~
27 ~~importer, or winegrower's agent licensee, the brand~~
28 ~~names of wine being featured, and the time, date,~~
29 ~~location, and other identifying information of a wine~~
30 ~~promotional lecture at retail premises may be listed in~~
31 ~~advance of the event in an advertisement of the off-sale~~
32 ~~or on-sale retail licensee.~~

33 ~~(c) Nothing in this section authorizes a winegrower,~~
34 ~~wine importer, or winegrower's agent licensee to share in~~
35 ~~the costs, if any, of the retailer licensee's advertisement.~~

36 ~~(d) Nothing in this section authorizes any person to~~
37 ~~consume any alcoholic beverage on any premises~~
38 ~~licensed with an off-sale retail license.~~

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