

(d) evidence that the manufacturing licensee is carrying dramshop insurance coverage in an amount and form satisfactory to the department; and

(e) any other information the commission or department may require.

(4) A manufacturing licensee may not sell, offer for sale, or furnish a taste on any day during the period that:

(a) begins at midnight; and

(b) ends at 10:59 a.m.

(5) A person who serves a taste on behalf of the manufacturing licensee shall complete an alcohol training and education seminar as if the person were employed by a retail licensee.

(6) (a) A manufacturing licensee shall establish a distinct area for consumption of a taste outside the view of minors and in which minors are not allowed during the time period when tasting occurs.

(b) The distinct area for consumption for a taste established under this Subsection (6) shall be in the same building as where the manufacturing licensee produces alcoholic product or in a building on the same parcel as the building where the manufacturing licensee produces alcoholic product.

(7) A manufacturing licensee shall have ~~it~~ → a variety of ~~it~~ food available ~~it~~ → that is prepared and served on the licensed premises ~~it~~ to an individual consuming a taste.

(8) A manufacturing licensee shall charge an individual for a taste and may not sell, offer for sale, or furnish a taste at less than the cost of the taste to a retail licensee.

(9) (a) A manufacturing licensee may provide a taste in more than one container except that the aggregate total of the taste in all of the containers may not exceed:

(i) 5 ounces of wine for a winery manufacturing licensee;

(ii) 2.5 ounces of spirituous liquor for a distillery manufacturing licensee; or

(iii) 16 ounces of beer, heavy beer, or flavored malt beverages for a brewery manufacturing licensee.

(b) A manufacturing licensee may not allow an individual to participate in more than one tasting within a 24-hour period.

(10) A manufacturing licensee may provide a taste of alcoholic product that is:

(a) manufactured by the manufacturing licensee; and

(b) purchased by the manufacturing licensee from a state store or package agency.

regulations issued under Federal Alcohol Administration Act, 27 U.S.C. Sec. 201 et seq.

(b) The federal definitions, standards of identity, and quality and labeling requirements for wine, in regulations issued under Federal Alcohol Administration Act, 27 U.S.C. Sec. 201 et seq., are adopted to the extent the regulations are not contrary to or inconsistent with the laws of this state.

(3) If considered necessary, the commission or department may require:

(a) the alteration of the plant, equipment, or licensed premises;

(b) the alteration or removal of unsuitable wine-making equipment or material;

(c) a winery manufacturing licensee to clean, disinfect, ventilate, or otherwise improve the sanitary and working conditions of the plant, licensed premises, and wine-making equipment;

(d) that a marc, pomace, or fruit be destroyed, denatured, or removed from the licensed premises because it is considered:

(i) unfit for wine making; or

(ii) as producing or likely to produce an unsanitary condition;

(e) a winery manufacturing licensee to distill or cause to be distilled or disposed of under the department's supervision:

(i) any unsound, poor quality finished wine; or

(ii) unfinished wine that will not be satisfactory when finished; or

(f) that a record pertaining to the grapes and other materials and ingredients used in the manufacture of wine be available to the commission or department upon request.

(4) A winery manufacturing licensee may not permit wine to be consumed on its premises, except under the following circumstances:

(a) A winery manufacturing licensee may allow its on-duty staff to ~~[consume]~~ taste on the licensed premises ~~[wine]~~ the alcoholic product that ~~H→~~ [as] ~~←H~~ the winery manufacturing licensee

~~H→~~ [furnishes to the on-duty staff] manufactures on its premises ~~←H~~ without charge, but only in connection with the on-duty staff's duties of manufacturing the alcoholic product during the manufacturing process and not otherwise.

(b) A winery manufacturing licensee may allow a person who can lawfully purchase wine for wholesale or retail distribution to consume a bona fide sample of the winery manufacturing licensee's product on the licensed premises.

(d) The sale of an alcoholic product under this Subsection (2) is subject to rules prescribed by the department and the federal government.

(3) The federal definitions, standards of identity and quality, and labeling requirements for distilled liquor, in the regulations issued under Federal Alcohol Administration Act, 27 U.S.C. Sec. 201 et seq., are adopted to the extent the regulations are not contrary to or inconsistent with laws of this state.

(4) If considered necessary, the commission or department may require:

(a) the alteration of the plant, equipment, or licensed premises;

(b) the alteration or removal of unsuitable alcoholic product-making equipment or material;

(c) a distillery manufacturing licensee to clean, disinfect, ventilate, or otherwise improve the sanitary and working conditions of the plant, licensed premises, and equipment; or

(d) that a record pertaining to the materials and ingredients used in the manufacture of an alcoholic product be made available to the commission or department upon request.

(5) A distillery manufacturing licensee may not permit an alcoholic product to be consumed on its premises, except that:

(a) a distillery manufacturing licensee may allow its ~~H~~→ on-duty ~~H~~ staff to ~~[consume]~~ taste on the

licensed premises an alcoholic product that the distillery ~~H~~→ [furnishes to the on-duty staff] manufacturing licensee manufactures on its premises ~~H~~ without

charge, but only in connection with the on-duty staff's duties of manufacturing the alcoholic product during the manufacturing process and not otherwise; ~~[and]~~

(b) a distillery manufacturing licensee may allow a person who can lawfully purchase an alcoholic product for wholesale or retail distribution to consume a bona fide sample of the distillery manufacturing licensee's product on the licensed premises~~[-]; and~~

(c) a distillery manufacturing licensee may conduct tastings as provided in Section 32B-11-210.

Section 5. Section **32B-11-503** is amended to read:

32B-11-503. Specific authority and operational requirements for brewery manufacturing license.

(1) A brewery manufacturing license allows a brewery manufacturing licensee to:

(a) store, manufacture, brew, transport, or export beer, heavy beer, and flavored malt beverages;

(b) sell heavy beer and a flavored malt beverage to:
(i) the department;
(ii) a military installation; or
(iii) an out-of-state customer;
(c) sell beer to a beer wholesaler licensee;
(d) in the case of a small brewer, in accordance with Subsection (5), sell beer manufactured by the small brewer to:
(i) a retail licensee;
(ii) an off-premise beer retailer; or
(iii) an event permittee; and
(e) warehouse on its premises an alcoholic product that the brewery manufacturing licensee manufactures or purchases for manufacturing purposes.

(2) A brewery manufacturing licensee may not sell the following to a person within the state except the department or a military installation:

(a) heavy beer; or
(b) a flavored malt beverage.
(3) If considered necessary, the commission or department may require:
(a) the alteration of the plant, equipment, or licensed premises;
(b) the alteration or removal of any unsuitable alcoholic product-making equipment or material;
(c) a brewery manufacturing licensee to clean, disinfect, ventilate, or otherwise improve the sanitary and working conditions of the plant, licensed premises, and equipment; or
(d) that a record pertaining to the materials and ingredients used in the manufacture of an alcoholic product be available to the commission or department upon request.

(4) A brewery manufacturing licensee may not permit any beer, heavy beer, or flavored malt beverage to be consumed on the licensed premises, except under the circumstances described in this Subsection (4).

(a) A brewery manufacturing licensee may allow its ~~[off-duty]~~ on-duty staff to ~~[consume beer, heavy beer, or a flavored malt beverage]~~ taste the alcoholic product ~~H→~~ that the brewery manufacturing licensee manufactures ~~←H~~ on its premises without charge, but only in connection with the on-duty staff's duties of manufacturing the alcoholic product during the manufacturing process and not otherwise.