

SENATE BILL REPORT

SB 5213

As Reported by Senate Committee On:
Commerce & Labor, February 13, 2015

Title: An act relating to allowing sales of growlers of wine.

Brief Description: Allowing sales of growlers of wine.

Sponsors: Senators Warnick, Braun and Kohl-Welles.

Brief History:

Committee Activity: Commerce & Labor: 1/21/15, 2/13/15 [DP].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway, Keiser, King and Warnick.

Staff: Richard Rodger (786-7461)

Background: The Liquor Control Board (LCB) is the lead agency responsible for the licensing of businesses that sell spirits, beer, and wine. Certain licensees are authorized to sell beer in sanitary containers (growlers) brought to the premises by the purchaser to be filled at the tap at the time of sale. This growler provision was extended to the sale of cider in 2013. The following businesses, holding the proper licenses or endorsements, are authorized to sell beer and cider in growlers: (1) domestic breweries; (2) microbreweries; (3) beer and wine retailers; (4) beer or wine specialty shops; (5) restaurants; and (6) hotels. Except for hotels, the sales are only permitted for off-premises consumption.

Currently only domestic wineries with retail locations are authorized to make sales of wine in kegs or growlers. The wineries are limited to selling wines of their own production.

A fortified wine is any beverage containing alcohol in an amount more than 14 percent by volume when bottled or packaged by the manufacturer. It does not include wines that are both sealed or capped by cork closure and aged two years or more, or wines that contain more than 14 percent alcohol as a result of the natural fermentation and have not been produced with the addition of wine spirits, brandy, or alcohol.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Licenses must comply with the relevant federal laws including registration or permits, recordkeeping, and payment of associated taxes. Federal labeling and health warning provisions do not apply for growlers filled in the presence of the consumer.

Summary of Bill: Any licensee permitted to sell beer or cider in growlers is also permitted to sell wine in growlers. Licensees may not sell fortified wine in growlers.

The licenses must comply with the applicable federal laws.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a pro-consumer bill that is good for the environment. Last year the Legislature allowed domestic wineries to pilot the sales of wines in growlers. The pilot was successful and we now ask it be expanded to other licensees. Wine in growlers is safe as no pathogens survive in wine. One-half of all the wine bottles in Europe are reused in this fashion. The quality of the wine in growlers is not an issue as wine is more stable than beer. The bill will reduce both transportation costs and packaging costs. Restaurants have been asking for this service, as it helps small businesses.

CON: Growlers are not suitable for wine as the quality of the wine deteriorates in the growlers. The growlers limit the wineries' ability to label and package their own products as they see fit. The growlers don't indicate the quality of the wine and don't allow for tasting notes.

Persons Testifying: PRO: Paul Beveridge, Family Wineries of WA State; Diana Kaspic, Piccola Cellars, Owner.

CON: Katie Jacoy, Western Counsel Wine Institute.