
SUBSTITUTE HOUSE BILL 1039

State of Washington 65th Legislature 2017 Regular Session

By House Commerce & Gaming (originally sponsored by Representatives Wylie, Condotta, Johnson, Haler, and Fey)

READ FIRST TIME 02/06/17.

1 AN ACT Relating to allowing sales of growlers of wine; and
2 amending RCW 66.28.360.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 66.28.360 and 2014 c 54 s 1 are each amended to read
5 as follows:

6 (1) Except as otherwise provided in this section, licensees
7 holding either a license that permits or a license with an
8 endorsement that permits the sale of beer to a purchaser in a
9 container supplied by the licensee or a sanitary container brought to
10 the premises by the purchaser and filled at the tap at the time of
11 sale may similarly sell cider and other wine except fortified wine to
12 a purchaser in such a container. Nothing in this section relieves a
13 licensee from complying with federal law.

14 (2) This section does not apply to:

15 (a) Grocery stores licensed under RCW 66.24.360;

16 (b) Hotels licensed under RCW 66.24.590; or

17 (c) A club with overnight sleeping accommodations licensed under
18 RCW 66.24.400 and chapter 70.62 RCW.

19 (3) The sanitary containers used for the sale of wine other than
20 cider may not exceed a net volume of more than one thousand five
21 hundred milliliters.

1 (4) The barrel, keg, or other bulk container of wine used for the
2 filling of sanitary containers at the tap may not exceed a net volume
3 of sixty United States gallons.

4 (5) A barrel, keg, or other bulk container of wine used in the
5 filling of the sanitary containers filled at the tap at the time of
6 sale must have a label affixed by the wine producer explicitly
7 stating that its contents may be used for the filling of sanitary
8 containers at the tap at the time of sale, or equivalent language
9 expressly permitting such use. Barrels, kegs, or other bulk
10 containers of wine that do not have the labeling required under this
11 subsection may not be used for the purpose of filling sanitary
12 containers at the tap at the time of sale. The requirements in this
13 subsection do not apply to bulk containers of cider.

14 (6) The filling of sanitary containers may only be done by the
15 licensee or an employee of the licensee, and any licensee or employee
16 involved in such activity must have an alcohol server permit as
17 required under RCW 66.20.310.

18 (7) Before filling the sanitary container, the licensee must
19 visually inspect the container and may not fill any container that
20 appears to be cracked, broken, otherwise damaged or unsafe, or that
21 cannot be securely sealed after filling.

22 (8) The sanitary container may be filled with only one variety of
23 wine from a single wine producer and may not be blended with another
24 wine or otherwise adulterated in any way.

25 (9) The equipment used by the licensee related to the filling of
26 sanitary containers must:

27 (a) Be maintained and sanitized in accordance with state and
28 local health requirements;

29 (b) Be behind a counter or otherwise accessible only by
30 the licensee, and/or be fitted with locking mechanisms that prevent
31 use by anyone other than the licensee;

32 (c) Be owned and maintained by the licensee and cannot be
33 provided to the licensee by a wine wholesaler and/or supplier.

34 (10) For purposes of this section, "cider" has the same meaning
35 as in RCW 66.24.210(6).

36 (11) The board may establish the administrative rules necessary
37 to implement the requirements of this section.

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