
SUBSTITUTE SENATE BILL 5808

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Agriculture & International Trade (originally sponsored by Senators Constantine, Rasmussen, Patterson, Kastama, Kline, Winsley, Honeyford, Johnson, Regala, B. Sheldon, Prentice, Sheahan, McAuliffe and Zarelli)

READ FIRST TIME 03/05/01.

1 AN ACT Relating to agricultural marketing of bottled wine at
2 farmers markets; and amending RCW 66.24.170.

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

4 **Sec. 1.** RCW 66.24.170 and 2000 c 141 s 1 are each amended to read
5 as follows:

6 (1) There shall be a license for domestic wineries; fee to be
7 computed only on the liters manufactured: Less than two hundred fifty
8 thousand liters per year, one hundred dollars per year; and two hundred
9 fifty thousand liters or more per year, four hundred dollars per year.

10 (2) The license allows for the manufacture of wine in Washington
11 state from grapes or other agricultural products.

12 (3) Any domestic winery licensed under this section may also act as
13 a distributor and/or retailer of wine of its own production. Any
14 winery operating as a distributor and/or retailer under this subsection
15 shall comply with the applicable laws and rules relating to
16 distributors and/or retailers.

17 (4) A domestic winery licensed under this section, at locations
18 separate from any of its production or manufacturing sites, may serve
19 samples of its own products, with or without charge, and sell wine of

1 its own production at retail for off-premise consumption, provided
2 that: (a) Each additional location has been approved by the board
3 under RCW 66.24.010; (b) the total number of additional locations does
4 not exceed two; and (c) a winery may not act as a distributor at any
5 such additional location. Each additional location is deemed to be
6 part of the winery license for the purpose of this title. Nothing in
7 this subsection shall be construed to prevent a domestic winery from
8 holding multiple domestic winery licenses.

9 (5)(a) A domestic winery licensed under this section that did not
10 produce more than five thousand cases of wine in the previous year may,
11 at one qualifying farmers market location separate from any of its
12 production or manufacturing sites and in addition to the two other
13 locations provided for in subsection (4) of this section, sell bottled
14 wine at retail for off-premises consumption so long as:

15 (i) The fruit or other agricultural product that is the wine base
16 was grown in Washington; and

17 (ii) The wine being sold is the winery's own production.

18 (b) The winery must not serve samples of its product, with or
19 without charge, at the location approved under this subsection.

20 (c) For purposes of this subsection, "qualifying farmers market"
21 means a membership of five or more growers who assemble at a defined
22 location no more than four times per week for the purpose of selling
23 their produce directly to consumers and that has no more than twenty
24 percent of its retailers who sell bottled wine.

25 (d) To qualify to sell wine under this subsection a winery must
26 gain prior approval by the board under RCW 66.24.010.

27 (e) Any winery selling wine under this subsection must comply with
28 all other applicable laws relating to the sale of wine, including laws
29 relating to the protection of minors.

30 (6) Wine produced in Washington state by a domestic winery licensee
31 may be shipped out-of-state for the purpose of making it into sparkling
32 wine and then returned to such licensee for resale. Such wine shall be
33 deemed wine manufactured in the state of Washington for the purposes of
34 RCW 66.24.206, and shall not require a special license.

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