



## **INDUSTRY ADVISORY**

### **Expanded Privileges for Winegrower Licensees**

**Recently enacted legislation (Assembly Bill 2004, Statutes 2008, effective January 1, 2009) amends several existing statutes related to the privileges of a winegrower's license.**

**The amended Business and Professions Code section 23358 expands a winegrower's (Type 02) license privileges by allowing the sale of wine to the general public for consumption on the master (or production) premises. A winegrower will be allowed to sell wine to patrons by-the-bottle or by-the-glass for consumption in approved, licensed areas.**

**Statute, regulation and policy related to off-sale privileges, wine tasting, private events and restaurant operations have not been materially affected by the legislative change. The right of the Department or a local governmental agency to restrict or limit privileges of certain licensees, in order to maintain compliance with the ABC Act or local ordinance, has not been diminished.**

**A winegrower who wishes to expand the boundaries of his or her master premises to exercise license privileges in a currently unlicensed area adjacent to the premises, such as a picnic area, garden or patio, must submit a request to the local ABC District Office for approval of such expansion.**

**Section 23390 has been amended to expressly prohibit the sale of wine for consumption on the premises of a winegrower's branch office (Type 02 Duplicate) location. This restriction does not apply to the sale of tastes of wine.**

**Additionally, an amendment to Section 23396.5 will allow a consumer to remove a partially consumed bottle of wine from the winegrower's master premises, as currently allowed for on-sale restaurant premises.**

**Specific information related to Assembly Bill 2004 is available on the State Legislature's public website at [www.leginfo.ca.gov](http://www.leginfo.ca.gov).**

**If you have any questions regarding this advisory, please contact the Department's Trade Enforcement Unit at (916) 419-2500.**