

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow Wine Tastings at Farmers' Markets

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 28-A MRSA §1366, sub-§3, ¶F, as enacted by PL 2011, c. 280, §3, is amended to read:

F. Taste ~~Except as provided in section 1367, taste~~ testing or sampling of wine and malt liquor is not permitted at the farmers' market.

Sec. 2. 28-A MRSA §1367 is enacted to read:

§ 1367. Wine tastings at farmers' markets

1. Taste testing of wine. Subject to the conditions in subsection 2, a farmers' market may conduct taste testings of wine at that farmers' market. For purposes of this section, "farmers' market" has the same meaning as in Title 7, section 415, subsection 1, paragraph A.

2. Conditions on taste-testing activities. The following conditions apply to taste-testing activities under this section:

- A. Wine may not be served to persons who have not yet attained 21 years of age;
- B. A person may not be served a taste-testing sample of more than 2 ounces of wine at a time;
- C. A person may not be charged a fee for any wine served as part of a taste-testing activity;
- D. A person who is visibly intoxicated may not be served;
- E. Taste testing must be conducted within the hours of retail sale established in this Title; and
- F. Taste testing is not allowed in any municipality where on-premises and off-premises sales are not allowed pursuant to chapter 5.

3. Rules. The bureau may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill allows wine taste testings at farmers' markets.