

Fruit Beers

At the work session on 2/11/22, the VLA Committee unanimously (9-0) agreed by straw vote to the following amendments to the bill to address the so-called “fruit beer issue” originally raised by the Maine Brewers’ Guild.

Definition of “malt liquor”— add a new provision to LD 1643 that would repeal and replace 28-A M.R.S. §2(18) (binder p.7) with the following:

18. Malt liquor. “Malt liquor” means liquor:

A. For which no less than 51% of the total alcohol by volume derives from the fermentation of malt, one or more substitutes for malt or any combination of malt and one or more substitutes of malt. For purposes of this paragraph, “substitute for malt” means rice, grain of any kind, bran, glucose, sugar and molasses and any other substitute for malt allowed by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau; and

B. For which no more than 49% of the total alcohol by volume derives from the fermentation of flavors and other nonbeverage ingredients, including honey, fruit, fruit juice, fruit concentrate, herbs, spices, honey, maple syrup and other food materials.

“Malt liquor” does not include beverages made with malt liquor to which spirits have been added.

Definition of “wine”— amend section 32 of the bill (bill p.9) as follows:

36. Wine. “Wine” means ~~any~~ liquor other than malt liquor containing not more than 24% alcohol by volume that is produced by the fermentation of fruit or other agricultural products containing sugar or wine to which spirits have been added not to exceed 24% alcohol by volume. “Wine” includes, but is not limited to, hard cider, wine coolers, table wine, still wine, sparkling wine, champagne and fortified wine, ~~provided that the alcohol content is not above~~ do not contain more than 24% alcohol by volume.