

HOUSE No. 6078

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 27, 1989.

The committee on Government Regulations, to whom were referred the petition (accompanied by bill, House, No. 2828) of Charles F. Flaherty relative to clarifying the circumstances under which wine tasting may be conducted, and the petition (accompanied by bill, House, No. 3223) of Kenneth M. Lemanski for legislation to allow holders of licenses for the sale of alcoholic beverages to be drunk on the premises to provide on-premises sample wine tastings, reports recommending that the accompanying bill (House, No. 6078) ought to pass.

For the committee,

WILLIAM F. GALVIN.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Nine.

AN ACT FURTHER REGULATING WINE TASTINGS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section twelve of chapter one hundred and
2 thirty-eight of the General Laws as appearing in the 1986 Official
3 Edition is hereby amended by adding the following new
4 paragraph: —

5 A common victualler, who holds a license pursuant to this
6 section may provide on premise sample wine tastings; provided,
7 however, that said licensee does not solicit orders for wine off
8 premise consumption; provided, further, that any such wine
9 tasting shall be limited to one ounce per serving when a meal is
10 not served; provided, further, that when food is served, the
11 amount of such wine which may be served to any individual shall
12 be determined pursuant to rules and regulations to be
13 promulgated by the commission.

1 SECTION 2. Section fifteen of chapter one hundred and
2 thirty-eight of the General Laws is hereby amended by striking
3 out the fourth sentence of the second paragraph and inserting in
4 place thereof the following sentences: —

5 Any such licensee may provide, without charge, on premises
6 sample wine tastings for prospective customers of wines available
7 for sale on such premises; provided, however, that no single
8 serving may exceed one ounce. Any licensee who holds a license
9 according to the provisions of this section may also conduct on
10 premise sample wine tasting in restaurants and function rooms
11 licensed under the provisions of section twelve; provided,
12 however, that the holder of a license pursuant to this section does
13 not solicit orders for off premise consumption; provided, further,
14 that said licensee is responsible for the serving of such wine and
15 any liability which may result because of such wine tasting.