

By Mr. Toomey of Cambridge, petition of Timothy J. Toomey, Jr., that holders of certain alcoholic beverage licenses be permitted to provide on premises wine or malt tasting. Government Regulations.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT PERMITTING MALT TESTING.

*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. Chapter 138 of the General Laws, as appearing in  
2 the 1992 Official Edition, is hereby amended by deleting the  
3 thirteenth paragraph of Section 12 and inserting in its place the  
4 following:—

5 A common victualler, who holds a license pursuant to this sec-  
6 tion, may provide on premises wine or malt tasting; provided how-  
7 ever, that said licensee does not solicit orders for wine or malt for  
8 off-premises consumption, and provided, further, that any such wine  
9 tasting shall be limited to one ounce per serving and any malt tasting  
10 shall be limited to four ounces per serving and that food shall be  
11 served in conjunction with such wine and malt tasting.

1 SECTION 2. Chapter 138 of the General Laws, as appearing in  
2 the 1992 Official Edition, is hereby amended by striking out the  
3 words after “thirty-three”, in line 43 of Section 15, and inserting  
4 in place thereof the following:—

5 Any such licensee may provide, without charge, on premises  
6 sample wine or malt tasting for prospective customers of wine or  
7 malt available for sale on such premises; provided, however, that  
8 no single serving of wine may exceed one ounce and no single  
9 serving of malt may exceed four ounces. Any licensee who holds  
10 a license according to the provisions of this section may also con-  
11 duct on premise sample wine or malt tasting in restaurants and

12 function rooms licensed under the provisions of section 12; pro-  
 13 vided, however, that the holder of a license pursuant to this  
 14 section does not solicit orders for off-premise consumption; pro-  
 15 vided, further, that the holder of the license issued pursuant to the  
 16 provisions of section 12 shall control the dispensing of wine or  
 17 malt samples on his premises; and provided, further that food  
 18 shall be served in conjunction with such wine or malt tasting con-  
 19 ducted on the premises of the holder of a license issued pursuant  
 20 to said section 12.