

Bulletin

Comptroller of Maryland • Field Enforcement Division • Motor-fuel, Alcohol and Tobacco Tax Regulatory Bureau
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AB-63

May 14, 2010

To: ALCOHOLIC BEVERAGES LICENSED RETAILERS AND CLASS 4 LIMITED WINERIES

Subject: FARMER'S MARKET PERMIT

The Maryland Winery Modernization Act (SB 858) was signed by the Governor on May 4, 2010. Under this new law to take effect June 1, 2010, the Comptroller will issue a Farmer's Market Permit to a licensed retailer, who may sell wine produced by a Class 4 limited winery at a Farmer's Market listed in the Farmer's Market Directory of the Maryland Department of Agriculture.

The following rules apply to the Farmer's Market Permit:

- (1) Only one permit may be issued to a licensed retailer at any one time for each Farmer's Market;
- (2) An authorized representative of the Farmer's Market must sign the permit application consenting to the licensed retailer as a permittee;
- (3) The Farmer's Market Permit issued to a licensed retailer may be revoked by an authorized representative of the Farmer's Market;
- (4) The permit must be issued to a licensed retailer authorized to sell alcoholic beverages for consumption off-premises, and whose license was issued by the local licensing board in the jurisdiction in which the Farmer's Market will be held;
- (5) A licensed retailer is authorized to sell wine produced by any Class 4 limited winery during the dates and hours of operation at the Farmer's Market;
- (6) Wine sold must be in sealed containers for consumption off-premises;
- (7) Samples of wine limited to 1 ounce per brand may be provided at no charge to consumers for consumption on the licensed premises of the Farmer's Market;
- (8) The Permit must be displayed in a conspicuous place by the retailer at the Farmer's Market;
- (9) Wine sold by the retailer must be tax-paid acquired from either: (a) the retailer's inventory; or (b) the Class 4 limited winery. In either case, an invoice substantiating the wine sold at the Farmer's Market is required;
- (10) Licensed retailers are subject to the laws and regulations of Article 2B, Annotated Code of Maryland.

The Farmer's Market Permit is an annual permit. At this time, there is no permit fee. Applications are available at: http://compnet.comp.state.md.us/Motor_Fuel_Alcohol_and_Tobacco_Tax/Alcohol_and_Tobacco_Tax/Alcohol_Tax_Information/Administrative_News_and_Forms/Alcohol_Tax_Forms.shtml

For questions about this application, please contact Ms. Patricia Anthony at (410) 260-7532.

Jeffrey A. Kelly
Director