

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 4.1-200 of the Code of Virginia, relating to alcoholic beverage control;*
 3 *exemption from licensure; service to guests in private residences.*

4 [S 396]
 5 Approved

6 **Be it enacted by the General Assembly of Virginia:**
 7 **1. That § 4.1-200 of the Code of Virginia is amended and reenacted as follows:**

- 8 § 4.1-200. Exemptions from licensure.
 9 The licensure requirements of this chapter shall not apply to:
- 10 1. A person in charge of an institution regularly conducted as a hospital or sanatorium for the care of
 11 persons in ill health, or as a home devoted exclusively to the care of aged people, who administers or
 12 causes to be administered alcoholic beverages to any bona fide patient or inmate of the institution who
 13 is in need of the same, either by way of external application or otherwise for emergency medicinal
 14 purposes. Such person may charge for the alcoholic beverages so administered, and carry such stock as
 15 may be necessary for this purpose. No charge shall be made of any patient for the alcoholic beverages
 16 so administered to him where the same have been supplied to the institution by the Board free of
 17 charge.
 - 18 2. The manufacture, sale and delivery or shipment by persons authorized under existing laws to
 19 engage in such business of any medicine containing sufficient medication to prevent it from being used
 20 as a beverage.
 - 21 3. The manufacture, sale and delivery or shipment by persons authorized under existing laws to
 22 engage in such business of any medicinal preparations manufactured in accordance with formulas
 23 prescribed by the United States pharmacopoeia; national formulary, patent and proprietary preparations;
 24 and other bona fide medicinal and technical preparations; which contain no more alcohol than is
 25 necessary to extract the medicinal properties of the drugs contained in such preparations, and no more
 26 alcohol than is necessary to hold the medicinal agents in solution and to preserve the same, and which
 27 are manufactured and sold to be used exclusively as medicine and not as beverages.
 - 28 4. The manufacture, sale and delivery or shipment of toilet, medicinal and antiseptic preparations and
 29 solutions not intended for internal human use nor to be sold as beverages.
 - 30 5. The manufacture and sale of food products known as flavoring extracts which are manufactured
 31 and sold for cooking and culinary purposes only and not sold as beverages.
 - 32 6. Any person who manufactures at his residence or at a gourmet brewing shop for domestic
 33 consumption at his residence, but not to be sold, dispensed or given away, except as hereinafter
 34 provided, wine or beer or both, in an amount not to exceed the limits permitted by federal law.
 35 Any person who manufactures wine or beer in accordance with this subdivision may remove from
 36 his residence an amount not to exceed fifty liters of such wine or fifteen gallons of such beer on any
 37 one occasion for (i) personal or family use, provided such use does not violate the provisions of this
 38 title or Board regulations; (ii) giving to any person to whom wine or beer may be lawfully sold an
 39 amount not to exceed (a) one liter of wine per person per year or (b) seventy-two ounces of beer per
 40 person per year, provided such gift is for noncommercial purposes; or (iii) giving to any person to
 41 whom beer may lawfully be sold a sample of such wine or beer, not to exceed (a) one ounce of wine
 42 by volume or (b) two ounces of beer by volume for on-premises consumption at events organized for
 43 judging or exhibiting such wine or beer, including events held on the premises of a retail licensee.
 44 Nothing in this paragraph shall be construed to authorize the sale of such wine or beer.
 45 The provision of this subdivision shall not apply to any person who resides on property on which a
 46 winery, farm winery, or brewery is located.
 - 47 7. Any person who keeps and possesses lawfully acquired alcoholic beverages in his residence for his
 48 personal use or that of his family. However, such alcoholic beverages may be served or given to guests
 49 in such residence by such person, his family or servants when (i) *such guests are 21 years of age or*
 50 *older or are accompanied by a parent, guardian, or spouse who is 21 years of age or older and (ii)*
 51 *such service or gift is in no way a shift or device to evade the provisions of this title.*
 - 52 8. Any person who manufactures and sells cider to distillery licensees, or any person who
 53 manufactures wine from grapes grown by such person and sells it to winery licensees.
 - 54 9. The sale of wine and beer in or through canteens or post exchanges on United States reservations
 55 when permitted by the proper authority of the United States.
 - 56 10. The keeping and consumption of any lawfully acquired alcoholic beverages at a private meeting

57 or private party limited in attendance to members and guests of a particular group, association or
58 organization at a banquet or similar affair, or at a special event, if a banquet license has been granted.