

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 4.1-201 of the Code of Virginia, relating to alcoholic beverage control;*
3 *conduct by certain wine licensees.*

4 [H 2230]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 4.1-201 of the Code of Virginia is amended and reenacted as follows:**

8 § 4.1-201. Conduct not prohibited by this chapter; limitation.

9 A. This chapter shall not prohibit:

10 1. Any club licensed under this chapter from keeping for consumption by its members any alcoholic
11 beverages lawfully acquired by such members, provided the alcoholic beverages are not sold, dispensed
12 or given away in violation of this title.13 2. Any person from having grain, fruit or fruit products and any other substance, when grown or
14 lawfully produced by him, distilled by any distillery licensee, and selling the distilled alcoholic
15 beverages to the Board or selling or shipping them to any person outside of the Commonwealth in
16 accordance with Board regulations. However, no alcoholic beverages so distilled shall be withdrawn
17 from the place where distilled except in accordance with Board regulations.18 3. Any person licensed to manufacture and sell, or either, in the Commonwealth or elsewhere,
19 alcoholic beverages other than wine or beer, from soliciting and taking orders from the Board for such
20 alcoholic beverages.21 4. The receipt by a person operating a licensed brewery of deliveries and shipments of beer in closed
22 containers from other breweries owned by such person or the sale, delivery or shipment of such beer, in
23 accordance with Board regulations to (i) persons licensed to sell beer at wholesale, (ii) persons licensed
24 to sell beer at retail for the purpose of resale only as provided in subdivision B 4 of § 4.1-216, (iii)
25 owners of boats registered under the laws of the United States sailing for ports of call of a foreign
26 country or another state, and (iv) persons outside the Commonwealth for resale outside the
27 Commonwealth.28 5. The granting of any retail license to a brewery or winery licensee, or to an applicant for such
29 license, or to a lessee of such person, a wholly owned subsidiary of such person, or its lessee, provided
30 the places of business or establishments for which the retail licenses are desired are located upon the
31 premises occupied or to be occupied by such winery or brewery, or upon property of such person
32 contiguous to such premises, or in a development contiguous to such premises owned and operated by
33 such person or a wholly owned subsidiary.34 6. The receipt by a distillery licensee of deliveries and shipments of alcoholic beverages, other than
35 wine and beer, in closed containers from other distilleries, or the sale, delivery or shipment of such
36 alcoholic beverages, in accordance with Board regulations, to the Board and to persons outside the
37 Commonwealth for resale outside the Commonwealth.38 7. The receipt by a winery licensee of deliveries and shipments of (i) wine in closed containers from
39 other wineries owned by such licensee or (ii) spirits distilled from fruit or fruit juices in closed
40 containers from distilleries to be used only for the fortification of wine produced by the licensee in
41 accordance with Board regulations, or the sale, delivery or shipment of such wine, in accordance with
42 Board regulations, to persons licensed to sell wine at wholesale for the purpose of resale, and to persons
43 outside the Commonwealth for resale outside the Commonwealth.44 8. The receipt by a fruit distillery licensee of deliveries and shipments of alcoholic beverages made
45 from fruit or fruit juices in closed containers from other fruit distilleries owned by such licensee, or the
46 sale, delivery or shipment of such alcoholic beverages, in accordance with Board regulations, to persons
47 outside of the Commonwealth for resale outside of the Commonwealth.48 9. *Any farm winery licensee from shipping or delivering its wine in closed containers to another*
49 *farm winery licensee for the purpose of additional bottling in accordance with Board regulations and*
50 *the return of the wine so bottled to the manufacturing farm winery licensee.*51 B. No deliveries or shipments of alcoholic beverages to persons outside the Commonwealth for resale
52 outside the Commonwealth shall be made into any state the laws of which prohibit the consignee from
53 receiving or selling the same.

ENROLLED

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