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HOUSE BILL NO. 2188

Offered January 23, 1995

A BILL to amend and reenact § 4.1-200 of the Code of Virginia, relating to alcoholic beverage control; exemptions from licensure.

Patron—Robinson

Referred to Committee on General Laws

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

§ 4.1-200. Exemptions from licensure.

A. The licensure requirements of this chapter shall not apply to:

1. A person in charge of an institution regularly conducted as a hospital or sanatorium for the care of persons in ill health, or as a home devoted exclusively to the care of aged people, who administers or causes to be administered alcoholic beverages to any bona fide patient or inmate of the institution who is in need of the same, either by way of external application or otherwise for emergency medicinal purposes. Such person may charge for the alcoholic beverages so administered, and carry such stock as may be necessary for this purpose. No charge shall be made of any patient for the alcoholic beverages so administered to him where the same have been supplied to the institution by the Board free of charge.

2. The manufacture, sale and delivery or shipment by persons authorized under existing laws to engage in such business of any medicine containing sufficient medication to prevent it from being used as a beverage.

3. The manufacture, sale and delivery or shipment by persons authorized under existing laws to engage in such business of any medicinal preparations manufactured in accordance with formulas prescribed by the United States pharmacopoeia; national formulary, patent and proprietary preparations; and other bona fide medicinal and technical preparations; which contain no more alcohol than is necessary to extract the medicinal properties of the drugs contained in such preparations, and no more alcohol than is necessary to hold the medicinal agents in solution and to preserve the same, and which are manufactured and sold to be used exclusively as medicine and not as beverages.

4. The manufacture, sale and delivery or shipment of toilet, medicinal and antiseptic preparations and solutions not intended for internal human use nor to be sold as beverages.

5. The manufacture and sale of food products known as flavoring extracts which are manufactured and sold for cooking and culinary purposes only and not sold as beverages.

6. Any person who manufactures at his residence for domestic consumption at his residence, but not to be sold, dispensed or given away, except as hereinafter provided, wine or beer or both.

Any person who manufactures beer in accordance with this subdivision may remove such beer from his residence (i) for personal or family use, provided such use does not violate the provisions of this title or Board regulations or (ii) to give to any person to whom beer may be lawfully sold, a sample of such beer, not to exceed two ounces by volume for on-premises consumption at events organized for judging or exhibiting such beer, including events held on the premises of a retail licensee. Nothing in this paragraph shall be construed to authorize the sale of such beer.

7. Any person who keeps and possesses lawfully acquired alcoholic beverages in his residence for his personal use or that of his family. However, such alcoholic beverages may be served or given to guests in such residence by such person, his family or servants when such service or gift is in no way a shift or device to evade the provisions of this title.

8. Any person who manufactures and sells cider to distillery licensees, or any person who manufactures wine from grapes grown by such person and sells it to winery licensees.

9. The sale of wine and beer in or through canteens or post exchanges on United States reservations when permitted by the proper authority of the United States.

10. The keeping and consumption of any lawfully acquired alcoholic beverages at a private meeting or private party limited in attendance to members and guests of a particular group, association or organization at a banquet or similar affair, or at a special event, if a banquet license has been granted.

INTRODUCED

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