

14B NCAC 15C .0307 GROWLERS

(a) As used in this Section, a "growler" is a rigid glass, ceramic, plastic, aluminum, or stainless steel container, with a secured seal closure or cap, that is no larger than 4 liters (1.0567 gallons) into which a malt beverage or unfortified wine is prefilled, filled, or refilled on demand for off-premises consumption.

(b) Malt beverages may be sold in growlers as follows:

- (1) Holders of only a brewery permit may sell, deliver, and ship growlers prefilled with the brewery's malt beverage for off-premises consumption provided the growler has an attached label that provides the information as required by Rules .0303(a) and .0305 of this Section.
- (2) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), (16), or (16a) who do not hold a brewery permit shall not prefill growlers with malt beverage.
- (3) Holders of a brewery permit who also have retail permits pursuant to G.S. 18B-1001(1) may fill or refill growlers on demand with the brewery's malt beverage for off-premises consumption, provided the growler has an attached label as required by Rules .0303(b) and (c) and .0305 of this Section.
- (4) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), (16), or (16a) may fill or refill growlers on demand with draft malt beverage for off-premises consumption, provided the growler has an label as required by Rules .0303(b) and (c) and .0305 of this Section.

(c) Unfortified wine may be sold in growlers as follows:

- (1) Holders of only an unfortified winery permit may sell, deliver, and ship growlers prefilled with the winery's unfortified wine for off-premises consumption provided the growler has an attached label that provides the information as required by Rules .0304(a), (b), and (c), and .0305 of this Section.
- (2) Holders of retail permits pursuant to G.S. 18B-1001(3), (4), (16), or (16a) who do not hold an unfortified winery permit shall not prefill growlers with unfortified wine.
- (3) Holders of an unfortified winery permit who also have retail permits pursuant to G.S. 18B-1001(3) may fill or refill growlers on demand with the winery's unfortified wine for off-premises consumption, provided the growler has an attached label as required by Rules .0304(d) and (e) and .0305 of this Section.
- (4) Holders of retail permits pursuant to G.S. 18B-1001(3), (4), (16), or (16a) may fill or refill growlers on demand with unfortified wine for off-premises consumption, provided the growler has an attached label as required by Rules .0304(d) and (e) and .0305 of this Section.

(d) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), (3), (4), (16), or (16a) shall affix a label to the growler as required by Rules .0303(b) and (c), .0304(d) and (e), and .0305 of this Section when filling or refilling a growler.

(e) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), (3), (4), (16), or (16a) may, in their discretion, refuse to fill or refill a growler, except in matters of discrimination pursuant to G.S. 18B-305(c).

*History Note: Authority G.S. 18B-100; 18B-206(a); 18B-207; 18B-305; 18B-1001;
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