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HB 4053-A OPPOSITION to BREWERIES FILLING WINE GROWLERS
Senate Business and Transportation Committee
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Wine Institute is a public policy association representing 835 California wineries of all sizes. Wine Institute opposes the portion of HB 4053 that allows a **brewery licensee** to fill and sell growlers of **wine**. Wine Institute supports wineries filling growlers of wine of their own production on their licensed premises, but we do not support this privilege being extended to breweries. This provision strips a winery of a critical business decision – the packaging of their wine as it is sold to consumers and along with it, the ability to ensure that their wine is not adulterated. California wineries choose to put wine in the keg format so their wine can be sold by the glass in a restaurant, not to be repackaged by a **BREWERY** into a growler in Oregon without the wineries label, or their knowledge and consent. We, therefore, respectfully request that wine be removed from Section 2(2)(d).

LIMITED STANDARDS – Under the bill, a growler only has to be a “securely covered container supplied by the consumer.” The bill does not contain any sanitation requirements. Since there are no federal standards for wine growlers, they are unregulated, except for the very limited standards in the bill. Wineries would have no idea if a brewery has the proper equipment to fill growlers with wine, or if they will handle their wine appropriately, or if the growler provided by the consumer is sanitary.

LABELING – It is very troubling that a wine growler will not be labeled and could even bear the label of some other product. A consumer could go home from a brewery with wine in a growler without critical information such as the **name of the winery**, alcohol content, or federal warnings. Labels also provide consumers with important information about the wine, such as varietal, vintage, AVA designation and tasting notes. Our labels are a key part to developing brand identity with consumers. The brewers should have the same concern with regard to their own products.

LAW ENFORCEMENT CONCERNS - Selling wine (as well as beer and cider) in large, unmarked containers may cause difficulty for police to enforce open container laws and prohibitions against drinking alcohol in public. For example, a common metal water bottle with a screw-top lid would qualify as a growler. Consumers drink out of such containers all the time in public places – proliferation of the number of licensees who can fill wine growlers exacerbates this issue.

For these reasons, Wine Institute respectfully requests that wine be removed from Section 2(2)(d).