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AB-394 Alcoholic beverage control: wine labels: Monterey County. (2015-2016)

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Assembly Bill No. 394

CHAPTER 167

An act to add Section 25247 to the Business and Professions Code, relating to alcoholic beverage control.

[Approved by Governor August 11, 2015. Filed with Secretary of State August 11, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 394, Mark Stone. Alcoholic beverage control: wine labels: Monterey County.

The Alcoholic Beverage Control Act provides for specified labeling requirements for containers of alcoholic beverages sold within this state, including a requirement that any wine bottled on or after January 1, 2014, labeled with an American Viticultural Area established pursuant to federal law that is located entirely within a county of the 19th class, bear the designation "Sonoma County" on the label in specified type size as determined by the size of the wine container, as prescribed. The act provides that a violation of its provisions is a misdemeanor if not otherwise specified.

This bill would require any wine bottled on or after January 1, 2019, labeled with an American Viticultural Area established pursuant to federal law that is located entirely within the County of Monterey to bear the designation "Monterey County" on the label in specified type size as determined by the size of the wine container, as prescribed. The bill also would provide that a violation of this provision does not subject a person to civil or criminal penalties pursuant to the act, except that the bill would authorize the Department of Alcoholic Beverage Control to suspend or revoke the license of any person who violates these provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 25247 is added to the Business and Professions Code, to read:

25247. (a) Any wine labeled with an American Viticultural Area established pursuant to Part 9 (commencing with Section 9.1) of Title 27 of the Code of Federal Regulations that is located entirely within the County of Monterey shall bear the designation "Monterey County" on the label in a type size not smaller than two millimeters on containers of more than 187 milliliters or smaller than one millimeter on containers of 187 milliliters or less.

(b) The department may suspend or revoke the license of any person who violates this section.

(c) This section shall not apply to any wine labeled with a viticultural area appellation of origin established pursuant to Part 9 (commencing with Section 9.1) of Title 27 of the Code of Federal Regulations when the name of the appellation is "Monterey."

(d) This section shall apply to wines bottled on or after January 1, 2019.

(e) Except as provided in subdivision (b), a violation of this section shall not subject a person to any civil or criminal penalties pursuant to this division.