

The Compliance Corner

By Mary Beth Williams

'Tis the Season for Festivals

Warm summer days, live music, food on the grill, and refreshing wine.....what better way to spend a weekend day in summer than at a wine festival. Summer is a great opportunity to introduce your products to more people in a fun, festival environment, either at your winery or at one of the many multi-winery festivals throughout the state. Remember that there are some rules specific to wine festivals and make sure you follow these rules in order to keep the events stress-free and your licenses secure.

- 1) You must have a remote permit for each festival or off-winery event in which you participate. For farm wineries there is no fee for the remote permits, and they can be applied for online [here](#) . Be sure to **allow 14 days** minimum prior to the event for the approval of this remote permit.
- 2) You must have a copy of the remote permit visible at the event as well as a copy of your ABC Manager's License, which lists your winery and the person(s) present and in charge at the event. Name a couple of managers for the event so that if someone takes a break, you still have a manager on duty.
- 3) Your manager at the event must be at least 21 years old, and any pourers must be at least 18.
- 4) The people working in your booth/tasting area cannot consume any wine while on duty at the event.
- 5) It is against the law for you to serve alcohol to persons under the age of 21 or to someone who is intoxicated, just as if you were in your tasting room at the winery. Even if the event is staffed by police officers checking IDs at the gate and stamping or giving armbands to those of legal drinking age, you should still ask for ID from anyone that appears to be under the age of 21. ABC views the gate check/stamping/armbands procedure to be a deterrent to under age consumption, but ultimately it is the wineries themselves that are responsible for making sure they're only serving to people of legal drinking age and to people who are not intoxicated.
- 6) Sangria and mulled wine CANNOT be premixed and served from a container. Generally, wine must be poured from the original container, so you can prepare the sangria mix ahead of time and then pour the wine into the glass as it's ordered. NOTE: It's arguable that this mixing qualifies as bartending, which would mean that the person mixing should be 21, rather than 18.
- 7) Slushee machines are permitted upon approval by ABC. If you've not previously gotten approval for a slushee machine you use on premises at your winery or at festivals, contact your ABC agent to get it approved.
- 8) Make sure you carefully record how much wine you used/sold at the wine festival. This wine is considered wine sold through the retail arm of your license, and will need to be recorded on your TTB premises report as well as your monthly ABC Wholesaler's Summary of Wine Sales and Taxes. For purposes of taxes and reporting, this wine is treated identically to wine tasted and sold out of your tasting room.

The VWA website has a simple example of a preprinted sheet you can use to keep track of how much wine was poured/sold at each festival. Find that, as well as a very helpful checklist of key

things to bring to each festival to make it run smoothly, [here](#) under the category (listed on the left hand column) of "Festival Checklist and Festival Guidelines". All the best for a successful festival season!

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