

1 **12-47-403. Limited winery license.**

2 (1) A Colorado limited winery license shall be granted by the state licensing authority to an
3 applicant that certifies that it will manufacture not more than one hundred thousand gallons, or
4 the metric equivalent thereof, of vinous liquors within Colorado. Each limited winery licensee
5 shall annually certify to the state licensing authority its compliance with this subsection (1) and
6 shall be subject to revocation of its license for false certification.

7 (2) A limited winery licensee is authorized:

8 (a) To manufacture vinous liquors;

9 (b) To sell vinous liquors of its own manufacture within this state at wholesale, retail, or to
10 consumers, including sales to be delivered by common carrier to purchasers who have visited the
11 licensed premises in person. Any shipping container sent under this paragraph (b) shall be clearly
12 labeled to indicate that such container shall not be delivered to a minor, as defined in section 2-4-
13 401 (6), C.R.S., or to an intoxicated person. The wine shipment permit provisions of section 12-
14 47-104 (2) are not applicable to any interstate wine shipment made by a limited winery licensee
15 pursuant to this paragraph (b).

16 (c) To sell vinous liquors of its own manufacture in other states, the laws of which permit the
17 sale of such wines and liquors;

18 (d) To sell vinous liquors of its own manufacture for export to foreign countries if such
19 export is permitted by the laws of the United States;

20 (e) To conduct tastings and sell vinous liquors of its own manufacture, as well as vinous
21 liquors manufactured by other Colorado wineries, on the licensed premises of the limited winery
22 and up to five other licensed premises, whether included in the license at the time of the original
23 license or by supplemental application;

24 (f) To serve and sell food, general merchandise, and nonalcohol beverages for consumption
25 on the premises of any licensed premises or to be taken by the consumer.

26 (2.3) In order to encourage and maintain the integrity and authenticity of Colorado's
27 viticultural identity, support the wine-grape and fruit growing industries in Colorado, and inform
28 the consumer of the source of grapes and fruit used by Colorado limited wineries to produce
29 vinous liquors, the liquor enforcement division shall, after consultation with the Colorado wine
30 industry and other interested parties from the alcohol beverage industry, within one year after
31 June 1, 2005, enact rules for the implementation, standardization, and enforcement of appellation
32 labeling requirements that are consistent with, and, with respect to the origin of the grapes and
33 other fruit used to manufacture the vinous liquor, more informative than currently required by
34 federal wine labeling regulations, 27 CFR, chapter 1, part 4, "labeling and advertising of wine"
35 and related regulations. Colorado's labeling regulations shall apply to a manufacturer licensed

36 pursuant to section 12-47-402 or a Colorado limited winery licensed under this section in the
37 manufacture of the vinous liquor contained in the labeled bottle. Honey wine, including honey
38 wine flavored with fruit, herbs, or spices, shall be exempt from the labeling requirements
39 included in this section.

40 (2.7) (a) A winery may affix the phrase "Colorado Grown" to bottles of wine described in
41 section 12-47-103 (6.5).

42 ["Colorado grown" means wine produced from one hundred percent
43 Colorado-grown grapes, other fruits, or other agricultural products containing
44 natural sugar, including honey, manufactured by a winery that is located in
45 Colorado and licensed pursuant to part 3 of this article. (CRS 12-47-103(6.5))]

46 (b) Effective July 1, 2006, it shall be unlawful for a Colorado winery to make any misleading
47 statement on its product label regarding the origin of grapes, fruit, or other agricultural products
48 used to make vinous liquor. This paragraph (b) shall not be construed to apply to the winery's
49 name or address or to an appellation allowed under federal regulations.

50 (3) A person who has a financial interest in a limited winery license and relinquishes such
51 license to apply for another license under this article shall be prohibited from obtaining a limited
52 winery license for three years from the date of issuance of such other license.

53 (4) (a) It is unlawful for any limited winery licensee or any person, partnership, association,
54 organization, or corporation interested financially in or with a limited winery licensee to be
55 interested financially, directly or indirectly, in the business of any person licensed to sell at retail
56 pursuant to this article.

57 (b) It is unlawful for any limited winery licensee or any person, partnership, association,
58 organization, or corporation interested financially in or with a limited winery licensee to be
59 interested financially, directly or indirectly, in the business of any vinous or spirituous wholesale
60 licensee.

61 **Source: L. 97:** Entire article amended with relocations, p. 257, § 3, effective July 1. **L. 2005:**
62 (1), (2)(a), and (2)(e) amended and (2.3) and (2.7) added, p. 683, § 2, effective June 1.

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