



**APPLICATION FOR A SPECIAL FARMER WINERY LICENSE TO
SELL
M.G.L. Ch. 138, Section 15f**

Name or Names of Applicant: _____

Farm Winery Legal Name: _____

D/B/A: _____

Address: _____

Primary Contact and Phone Number _____

Name of Agricultural Event _____

Contact Name and Number of Event Coordinator _____

Location of Event: _____

Items for Date/Sampling: _____

Dates and Times: _____

Type of Business (check one) Sole Proprietor Partnership (inc. LLP) Trust
 Corporation (inc. LLC) Other _____

If Sole Proprietor:

Owner's Name _____

Address with Zip Code _____ Phone _____

If Partnership, Trust or Corporation (Attach additional sheets as needed):

Partner's/Member's/President's Name _____

Address _____

Partner's/Member's/Secretary's Name _____

Address _____

Partner's/Member's/Treasurer's Name _____

Address _____

Have you ever obtained a special farmer winery license to sell before Y_____ No_____

If yes, list event(s):_____

Have you ever had a special farmer winery license denied, revoked, or suspended? Y___No___

If yes, explain:_____

- Attach proof of certification that the applicant is a Farmer Winery.
- Attach proof of certification that the event is an Agricultural Event.

I hereby state that all the information provided on this application is true and accurate, and I understand that any information that is found to be false or misleading may result in the forfeiture of this license. This license will be subject to all of the terms, conditions, and limitations as set forth by the Town of Sandwich, any applicable State and Federal laws, and any conditions prescribed by the Town of Sandwich.

Signature of Applicant*_____ Date:_____

**Electronic Signature-Typing your FULL NAME represents your signature*

Print Name_____ Phone_____

e-mail_____ Secondary Phone_____

OFFICE USE:

Application Received by:_____

Police Department sign-off Yes_____ No _____

Fire Department sign-off Yes_____ No_____

Certificate of Insurance received Yes_____ No_____

Farm Winery Certification received Yes_____ No_____

Agricultural Event Certification received Yes_____ No_____

Board of Selectmen Approval_____

License # and date license issued_____

[Text of section added by 2010, 240, Sec. 142 effective August 1, 2010. See 2010, 240, Sec. 206.]

Section 15F. Notwithstanding any other provision of chapter 138, in any city or town wherein the granting of licenses to sell wine is authorized under this chapter, the local licensing authority may issue to an applicant authorized to operate a farmer-winery under section 19B or in any other state, a special license for the sale of wine produced by or for the licensee in sealed containers for off-premise consumption at an indoor or outdoor agricultural event. All sales of wine shall be conducted by an agent, representative, or solicitor of the licensee to customers who are at least 21 years of age. A licensee under this section may provide, without charge, samples of wine to prospective customers at an indoor or outdoor agricultural event. All samples of wine shall be served by an agent, representative, or solicitor of the licensee to individuals who are at least 21 years of age and all samples shall be consumed in the presence of such agent, representative, or solicitor of the licensee; provided, however, that no sample shall exceed one (1) ounce of wine and no more than 5 samples shall be served to an individual prospective customer. For the purposes of this section, the term "agricultural event" shall be limited to those events certified by the department of agricultural resources as set forth in this section.

An applicant for a special license under this section shall first submit a plan to the department of agricultural resources that shall demonstrate that the event is an agricultural event. The plan shall include a description of the event, the date, time and location of the event, a copy of the operational guidelines or rules for the event, written approval that the prospective licensee has been approved as a vendor at the event, including the name and contact information of the on-site manager, and a plan depicting the premises and the specific location where the license will be exercised.

Upon review of the plan, the department may certify that the event is an agricultural event; provided, however, that in making that determination, the department shall consider the following factors: (i) operation as a farmers' market or agricultural fair approved or inspected by the department; (ii) frequency and regularity of the event, including dates, times and locations; (iii) number of vendors; (iv) terms of vendor agreements; (v) presence of an on-site manager; (vi) training of the on-site manager; (vii) operational guidelines or rules, which shall include vendor eligibility and produce source; (viii) focus of event on local agricultural products grown or produced within the market area; (ix) types of shows or exhibits, including those which are described in clause (f) of the first paragraph of section 2 of chapter 128; and (xi) sponsorship or operation by an agricultural or horticultural society organized under the laws of the commonwealth, or by a local grange organization and/or association whose primary purpose is the promotion of agriculture and its allied industries. The department of agricultural resources may promulgate rules and regulations necessary for the operation, oversight, approval, and inspection of agricultural events under this section.

An applicant for a license under this section shall file with the local licensing authority along with its application proof of certification from the department of agricultural resources that the event is an agricultural event. A special license under this section shall designate the specific premises, and dates and times covered. A special license may be granted for an indoor or outdoor agricultural event which takes place on multiple dates and/or times during a single calendar year but no special license shall be granted for an agricultural event that will not take place within 1 calendar year. The special license shall be displayed conspicuously by the licensee at the licensed premises. A copy of a special license granted by the local licensing authority shall be submitted by the authority to the commission at least 7 days prior to the date the agricultural event is first scheduled to begin. The local licensing authority may charge a fee for each special license granted, but such fee shall not exceed fifty \$50. A special license granted under this section shall be nontransferable to any other person, corporation, or organization and shall be clearly marked nontransferable on its face.

The commission may promulgate rules and regulations it deems appropriate to effectuate the purposes of this section.