

1 14B NCAC 15C .0307 is amended as published in 36:13 NCR 1103 as follows:

2  
3 **14B NCAC 15C .0307 GROWLERS**

4 (a) As used in this Section, a "growler" is a rigid glass, ceramic, plastic, aluminum, or stainless steel container with a  
5 closure or cap with a secure sealing that is no larger than ~~2 liters (0.5283 gallons)~~ 4 liters (1.0567 gallons) into which  
6 a malt beverage or unfortified wine is prefilled, filled, or refilled for off-premises consumption.

7 (b) Malt beverages may be sold in growlers as follows:

8 (1) Holders of only a brewery permit may sell, deliver, and ship growlers prefilled with the brewery's  
9 malt beverage for off-premises consumption provided a label is affixed to the growler that provides  
10 the information as required by Rules .0303(a) and .0305 of this Section.

11 (2) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), or (16) who do not hold a brewery  
12 permit shall not prefill growlers with malt beverage.

13 (3) Holders of a brewery permit who also have retail permits pursuant to G.S. 18B-1001(1) may fill or  
14 refill growlers on demand with the brewery's malt beverage for off-premises consumption, provided  
15 the label as required by Rules .0303(b) and (c) and .0305 of this Section is affixed to the growler.

16 (4) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), or (16) may fill or refill growlers on  
17 demand with draft malt beverage for off-premises consumption, provided the label as required by  
18 Rules .0303(b) and (c) and .0305 of this Section is affixed to the growler.

19 (c) Unfortified wine may be sold in growlers as follows:

20 (1) Holders of only an unfortified winery permit may sell, deliver, and ship growlers prefilled with the  
21 winery's unfortified wine for off-premises consumption provided a label is affixed to the growler  
22 that provides the information as required by Rules .0304(a), (b), and (c), and .0305 of this Section.

23 (2) Holders of retail permits pursuant to G.S. 18B-1001(3), (4), or (16) who do not hold an unfortified  
24 winery permit shall not prefill growlers with unfortified wine.

25 (3) Holders of an unfortified winery permit who also have retail permits pursuant to G.S. 18B-1001(3)  
26 may fill or refill growlers on demand with the winery's unfortified wine for off-premises  
27 consumption, provided the label as required by Rules .0304(d) and (e) and .0305 of this Section is  
28 affixed to the growler.

29 (4) Holders of retail permits pursuant to G.S. 18B-1001(3), (4), or (16) may fill or refill growlers on  
30 demand with unfortified wine for off-premises consumption, provided the label as required by Rules  
31 .0304(d) and (e) and .0305 of this Section is affixed to the growler.

32 (d) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), (3), (4), or (16) shall affix a label as required by Rules  
33 .0303(b) and (c), .0304(d) and (e), and .0305 of this Section to the growler when filling or refilling a growler.

34 (e) Holders of retail permits pursuant to G.S. 18B-1001(1), (2), (3), (4), or (16), may, in their discretion, refuse to fill  
35 or refill a growler, except in matters of discrimination pursuant to G.S. 18B-305(c).

36  
37 *History Note: Authority G.S. 18B-100; 18B-206(a); 18B-207; 18B-305; 18B-1001;*

1                   *Eff. April 1, 2011;*  
2                   *Temporary Amendment Eff. October 25, 2013;*  
3                   *Amended Eff. September 1, 2014;*  
4                   *Transferred and Recodified from 04 NCAC 02T .0308 Eff. August 1, 2015;*  
5                   *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
6                   *2017;*  
7                   *Temporary Amendment Eff. November 28, 2017;*  
8                   *Amended Eff. May 1, 2022; August 1, 2018.*