

Crafting a Solution: New Jersey Lawmaker Takes Steps to Roll Back New Brewery Restrictions

Article By:

David C. Berger

On July 1, 2022, the New Jersey Division of Alcohol Beverage Control (“ABC”) issued an updated special ruling implementing new craft brewery regulations that were first issued in 2019. The initial 2019 rollout faced significant objections by New Jersey Brewers, requiring the ABC to go back to the drawing board and review them prior to implementation. Despite taking close to three years to consider New Jersey brewers’ concerns, the ABC pushed forward with many of the same restrictions that were originally included in the 2019 updates. The new regulations include the following:

- A mandate that breweries provide an in-person tour to all patrons at least once per year;
- A ban on food sales at taprooms, including food trucks parked on-site;
- A limit of 25 on-premises “[special events](#)” advertised or promoted on social media (such as trivia nights, amplified or DJ music performances, championship sporting events, etc.) per calendar year;
- A cap of 52 [private events](#) per calendar year (including birthday parties, weddings, class reunions, etc.) on the licensed premises; and
- A maximum of 12 off-premises events per calendar year for special events.

As expected, the new regulations sparked [outrage](#) among New Jersey brewers and the public at large. Proponents of the new regulations argue these restrictions balance the perceived inequities between brewers and holders of plenary consumption licenses, while opponents argue that many of them place an unfair and unjust burden on brewery owners, staff, and patrons. Furthermore, other lawmakers, such as Senator Michael Testa, argue that the term “free enterprise” applies to breweries as much as it does other license holders, and the brewery owners should have a say in the operation of their businesses.

In response, a bipartisan group of state lawmakers introduced multiple pieces of legislation that would ease the onerous restrictions. Many of these proposed bills [eliminate](#) several of the new regulations, including the provisions that limit the number of on-premises special and private events a

brewery can host per calendar year. In addition, the legislation [removes](#) prohibitions regarding food service and food truck collaboration. New Jersey brewers will also be pleased to know the legislation eliminates the in-person tour requirement and permits [virtual brewery tours](#).

The bill will be voted on in the coming weeks and months; however, no official date is set at this time. In the meantime, individuals impacted by the “Special Conditions” should understand what activities are and are not allowed and alter operations appropriately.

NM PR contributed to this article.

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National Law Review, Volume XII, Number 277

Source URL: <https://natlawreview.com/article/crafting-solution-new-jersey-lawmaker-takes-steps-to-roll-back-new-brewery>