



## Ohio Revised Code Section 4303.2010 F-10 permit.

Effective: September 14, 2016

Legislation: House Bill 178

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(A) As used in this section:

(1) "Farmers market" means a farmers market registered with the director of agriculture under section 3717.221 of the Revised Code. "Farmers market" does not include a for-profit farmers market, a farmers market located at a rest area within the limits of the right-of-way of an interstate highway, a farmers market located at a service facility as defined in Chapter 5537. of the Revised Code that is along the Ohio turnpike, or a farmers market with fewer than five farmers market participants.

(2) "A-2 permit holder" means an A-2 permit holder that produces less than two hundred and fifty thousand gallons of wine per year.

(B) The division of liquor control may issue an F-10 permit to a person who organizes a farmers market. Pursuant to the permit, the F-10 permit holder may allow a farmers market participant that is an A-2 permit holder or S permit holder to do the following at the location of the farmers market:

(1) Sell tasting samples of wine manufactured by the A-2 permit holder or S permit holder for consumption on the premises where the farmers market is located;

(2) Sell wine manufactured by the A-2 permit holder or S permit holder in sealed containers for consumption off the premises where the farmers market is located.

(C) An applicant for an F-10 permit shall submit an application for the permit to the division of liquor control. The application shall include the location of the farmers market that is the subject of the application.

(D) The premises of the farmers market for which the F-10 permit is issued shall be clearly defined and sufficiently restricted to allow proper enforcement of the permit by state and local law



enforcement officers. If an F-10 permit is issued for all or a portion of the same premises for which another class of permit is issued, the division of liquor control shall suspend that permit holder's privileges in that portion of the premises in which the F-10 permit is in effect.

(E) No A-2 permit holder or S permit holder shall do any of the following at a farmers market for which an F-10 permit has been issued:

- (1) Sell a tasting sample in an amount that exceeds one ounce;
  - (2) Sell more than one sample of each wine offered for sale to any one person;
  - (3) Sell more than five varieties of wine as tasting samples per day;
  - (4) Sell a variety of wine that is offered for distribution by a wholesale distributor in any state. Division (E)(4) of this section does not apply to a variety of wine solely distributed by the A-2 permit holder or S permit holder.
  - (5) Sell more than four and one-half liters of wine per household for off-premises consumption under division (B)(2) of this section;
  - (6) Allow any person other than the A-2 permit holder or S permit holder, a member of the applicable permit holder's family, or an employee of the applicable permit holder to sell wine.
- (F) The F-10 permit is effective for nine months. The permit is not renewable. However, a person who organizes a farmers market may re-apply for a new permit. The fee for the F-10 permit is one hundred dollars.
- (G) An A-2 permit holder or S permit holder shall not conduct the activities described in division (B) of this section unless the sale of wine for consumption on the premises and the sale of wine for consumption off the premises is authorized in the election precinct in which the farmers market that is the subject of the F-10 permit is located.
- (H) No F-10 permit holder shall allow more than four A-2 permit holders, four S permit holders, or a



combination of four A-2 permit holders and S permit holders per day to conduct the activities described in division (B) of this section on the premises of the applicable farmers market.