

LIMITED BREWERY SPECIAL CONDITIONS

Pursuant to N.J.S.A. 33:1-32 and N.J.S.A. 33:1-39, which set forth the Director's general authority to make rules, regulations, special rulings and findings, and to impose special conditions as may be necessary for the proper regulation and control of the manufacture, sale, and distribution of alcoholic beverages, the following special conditions are imposed on your License. These special conditions derive from the May 28, 2019 Special Ruling Authorizing Certain Activities by Holders of Limited Brewery Licensees ("May 2019 Special Ruling"), and shall be subject to enforcement.

1. A licensee shall ensure that all patrons participate in a tour, as defined in the May 2019 Special Ruling, prior to any on-premises consumption of the malt alcoholic beverages brewed by a Limited Brewery on its licensed premises. A tour requires engagement regarding the manufacturing process between a patron and brewery staff beyond exchanging money for beer. A licensee must provide such a tour prior to allowing any on-premise consumption, including but not limited to consumer sampling, tasting room sales, and service to patrons at an "on-premises special event," private party or social affair event held on the licensed premises of a Limited Brewery. Repeat tours are not required, provided the licensee has a system to maintain evidence that a patron has taken a tour at the brewery within the previous calendar year.
2. A licensee shall not sell food or operate a restaurant, as defined at N.J.S.A. 33:1-1(t), on its licensed premises. However, a licensee may offer for sale or make gratuitous offer of *de minimis* types of food such as water and single-serve, pre-packaged crackers, chips, nuts and similar snacks as an accommodation to patrons. In the case of private parties or social affairs events, the host of these events may bring food onto the licensed premises provided it is removed at the conclusion of the event.
3. A licensee shall not collaborate or coordinate with any food vendor, including food trucks, for the provision of food on the licensed premises, and shall not procure or permit food vendors or food trucks to locate on the licensed premises. A licensee may provide restaurant menus on the licensed premises and may provide vendor lists for private parties or social affairs events, provided that there is no exclusive business arrangement with any particular restaurant or vendor.
4. A licensee shall not mix or sell specialty cocktails using malt alcohol on the licensed premises.
5. All servers must receive server training and be certified by a nationally recognized organization.
6. A licensee shall not offer a free drink to any patron(s) as a gesture of good will nor shall it permit "happy hour" or other specially priced malt alcoholic beverages to be sold.
7. A licensee shall not brew and sell coffee on the licensed premises. A licensee shall not sell soft-drinks on the licensed premises, except for those soft-drinks manufactured on the licensed premises.
8. A licensee shall not allow, permit, or suffer other mercantile business, such as "pop up" shops, bazaars, or craft shows, to occur on the licensed premises, except that it may sell branded merchandise and novelty items as an accommodation to patrons.

9. No more than 25 on-premises special events per calendar year, which are open to the general public, shall be held on the licensed premises of a Limited Brewery. “On-premises special events” are defined in the May 2019 Special Ruling.
10. Any live, amplified music performance, DJ appearance, or live-televised championship sporting event displayed or shown on the licensed premises of a Limited Brewery shall be considered an on-premises special event for which ABC POSSE notification is required, whether or not it is advertised by way of any media, including social media. “Championship sporting event” is defined in the May 2029 Special Ruling.
11. A licensee may display or show regularly scheduled television programs, news, movies, or regular season sporting events subject to copyright and intellectual property laws. However, if these broadcasts are advertised in any media, including social media, then they meet the definition of an “on-premises special event,” and the licensee shall provide ABC POSSE notification to the Division and shall count such broadcast as an “on-premises special event.”
12. A licensee shall provide ABC POSSE notification, on a form approved by the Director, to the Division at least ten days prior to conducting an on-premises special event.
13. A licensee shall not hire a third-party promoter to engage or assist in the planning, administration and/or operation of any on-premises special event.
14. If a licensee charges participants to attend a special event, the cover charge shall not include any free or discounted alcoholic beverages. Licensee shall not require participants to purchase any number of alcoholic beverages as a condition of entry to the special event. Cover charges and/or participation fees may only be collected directly by the licensee.
15. A licensee may allow a maximum of 52 private parties per calendar year to occur on the licensed premises, such as birthdays, weddings, anniversaries, civic/political functions, professional/trade association events, or class reunion/alumni events. Nothing stated herein is intended to limit the number of private parties held on a licensed premises of a Limited Brewery to one per week as long as the total number of private parties allowed per calendar year does not exceed 52.
16. No more than 25 social affair events may be held at a Limited Brewery’s licensed premises in a calendar year.
17. A licensee may obtain a maximum of 12 Limited Brewery Off-Premises Event Permits per calendar year for special events taking place off the licensed premises. A single Off-Premises Event Permit may be issued for an event that is held on a maximum of three consecutive days. The Off-Premises Event Permit is \$100 per day. For example, if there is an event with three consecutive days, one permit is required at a cost of \$300.
18. Licensees with valid COVID-19 Expansion of Premises Permits may continue selling and serving their malt alcoholic beverages in the outdoor areas, as authorized by those permits. Once the COVID-19 Expansion Permit expires, Section 4(g) of the May 2019 Special Ruling shall apply.