

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 2364, Page 4, Section 311.190, Line 26,
2 by inserting after all of said line the following:

3
4 "311.201. 1. Any person who is licensed to sell intoxicating liquor [~~in the original package~~]
5 at retail [~~as provided in subsection 1 of section 311.200~~] may sell from thirty-two to one hundred
6 twenty-eight fluid ounces of draft beer to customers in containers filled by any employee of the
7 retailer on the premises for consumption off such premises. Any employee of the licensee shall be
8 at least twenty-one years of age to fill containers with draft beer.

9 2. No provision of law, rule, or regulation of the supervisor of alcohol and tobacco control
10 shall be interpreted to allow any wholesaler, distributor, or manufacturer of intoxicating liquor to
11 furnish dispensing or cooling equipment, or containers that are filled or refilled under subsection 1
12 of this section, to any person who is licensed to sell intoxicating liquor in the original package at
13 retail as provided in subsection 1 of section 311.200.

14 3. (1) Containers that are filled or refilled under subsection 1 of this section shall be affixed
15 with a label or a tag that shall contain the following information in type not smaller than three
16 millimeters in height and not more than twelve characters per inch:

17 (a) Brand name of the product dispensed;
18 (b) Name of brewer or bottler;
19 (c) Class of product, such as beer, ale, lager, bock, stout, or other brewed or fermented
20 beverage;

21 (d) Net contents;
22 (e) Name and address of the business that filled or refilled the container;
23 (f) Date of fill or refill;
24 (g) The following statement: "This product may be unfiltered and unpasteurized. Keep
25 refrigerated at all times."

26 (2) Containers that are filled or refilled under subsection 1 of this section shall be affixed
27 with the alcoholic beverage health warning statement as required by the Federal Alcohol
28 Administration Act, 27 CFR Sections 16.20 to 16.22.

29 4. (1) The filling and refilling of containers shall only occur on demand by a customer and
30 containers shall not be prefilled by the retailer or its employee.

31 (2) Containers shall only be filled or refilled by an employee of the retailer.

32 (3) Containers shall be filled or refilled as follows:

33 (a) Containers shall be filled or refilled with a tube as described in subdivision (4) of this
34 subsection and:

35 a. Food grade sanitizer shall be used in accordance with the Environmental Protection
36 Agency registered label use instructions;

Action Taken _____ Date _____

1 b. A container of liquid food-grade sanitizer shall be maintained for no more than ten malt
2 beverage taps that will be used for filling and refilling containers;

3 c. Each container shall contain no less than five tubes that will be used only for filling and
4 refilling containers;

5 d. The container shall be inspected visually for contamination;

6 e. After each filling or refilling of a container, the tube shall be immersed in the container
7 with the liquid food-grade sanitizer; and

8 f. A different tube from the container shall be used for each filling or refilling of a
9 container; or

10 (b) Containers shall be filled or refilled with a contamination-free process and:

11 a. The container shall be inspected visually for contamination;

12 b. The container shall only be filled or refilled by the retailer's employee; and

13 c. The filling or refilling shall be in compliance with the Food and Drug Administration
14 Code 2009, Section 3-304.17(c).

15 (4) Containers shall be filled or refilled from the bottom of the container to the top with a
16 tube that is attached to the malt beverage faucet and extends to the bottom of the container or with a
17 commercial filling machine.

18 (5) When not in use, tubes to fill or refill shall be immersed and stored in a container with
19 liquid food-grade sanitizer.

20 (6) After filling or refilling a container, the container shall be sealed as set forth in
21 subsection 1 of this section."; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.