

123.176 Native wines.

1. Subject to rules of the division, manufacturers of native wines from grapes, cherries, other fruits or other fruit juices, vegetables, vegetable juices, dandelions, clover, honey, or any combination of these ingredients, holding a class “A” wine permit as required by [this chapter](#), may sell, keep, or offer for sale and deliver the wine. Notwithstanding [section 123.24, subsection 2](#), paragraph “b”, or any other provision of [this chapter](#), manufacturers of native wine may obtain and possess grape brandy from the division for the sole purpose of manufacturing wine.

2. Native wine may be sold at retail for off-premises consumption when sold on the premises of the manufacturer, or in a retail establishment operated by the manufacturer. Sales may also be made to class “A” or retail alcohol licensees as authorized by [sections 123.30 and 123.177](#). A manufacturer of native wines shall not sell the wines other than as permitted in [this chapter](#) and shall not allow wine sold to be consumed upon the premises of the manufacturer. However, prior to sale, native wines may be tasted pursuant to the rules of the division on the premises where made, when no charge is made for the tasting.

3. A manufacturer of native wines may ship wine in closed containers to individual purchasers inside this state by obtaining a wine direct shipper permit pursuant to [section 123.187](#).

4. A class “A” wine permit issued for a native wine manufacturer shall only allow the native wine manufacturer to sell, keep, or offer for sale and deliver the manufacturer’s native wines as provided under [this section](#).

5. Notwithstanding any other provision of [this chapter](#), a person engaged in the business of manufacturing native wine may be granted a class “C” retail alcohol license as defined in [section 123.30](#). A manufacturer of native wine may be granted not more than two class “C” retail alcohol licenses. A manufacturer of native wine may be issued a class “C” retail alcohol license regardless of whether the manufacturer is also a manufacturer of beer pursuant to a class “A” beer permit or a manufacturer of native distilled spirits pursuant to a class “A” native distilled spirits license.

6. Notwithstanding any other provision of [this chapter](#), a person employed by a manufacturer of native wine holding a class “A” wine permit may be employed by a brewery with a class “A” beer permit provided the person has no ownership interest in either licensed premises.

7. A manufacturer may use the space and equipment of another manufacturer for the purpose of manufacturing native wine, provided that such an alternating proprietorship arrangement is approved by the alcohol and tobacco tax and trade bureau of the United States department of the treasury. A separate class “A” wine permit shall be issued to each manufacturer, and each manufacturer shall be subject to the provisions of [this chapter](#) and the rules of the division. Notwithstanding [subsection 5](#), not more than one class “C” retail alcohol license shall be issued to a premises with alternating proprietorships.

8. A manufacturer of native wines shall file with the division, on or before the fifteenth day of each calendar month, all documents filed with the alcohol and tobacco tax and trade bureau of the United States department of the treasury, including all wine premises operations and excise tax return reports.

9. For the purposes of [this section](#), “*manufacturer*” includes only those persons who process in Iowa the fruit, vegetables, dandelions, clover, honey, or any combination of these ingredients, by fermentation into wines.

[C35, §1921-f56; C39, §1921.056; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §123.56]

85 Acts, ch 32, §49; 85 Acts, ch 198, §1; 2003 Acts, ch 143, §4, 5, 17; 2009 Acts, ch 73, §1; 2011 Acts, ch 17, §11; 2011 Acts, ch 30, §8; 2015 Acts, ch 53, §2; 2016 Acts, ch 1008, §8; 2017 Acts, ch 119, §46; 2018 Acts, ch 1060, §41; 2019 Acts, ch 113, §33 – 35, 62; 2019 Acts, ch 160, §3 C2020, §123.176

2021 Acts, ch 133, §4; 2022 Acts, ch 1099, §78, 88

Referred to in §123.3

[0]2022 amendment to subsections 2, 5, and 7 effective January 1, 2023; 2022 Acts, ch 1099, §88

[0]Subsections 2, 5, and 7 amended