

123.180 Vintner's certificate of compliance — wholesale and retail restrictions — penalties.

1. A manufacturer, vintner, bottler, importer, or vendor of wine, or an agent thereof, desiring to ship, sell, or have wine brought into this state for sale at wholesale by a class "A" permittee shall first make application for and shall be issued a vintner's certificate of compliance by the administrator for that purpose. The vintner's certificate of compliance shall expire at the end of one year from the date of issuance and shall be renewed for a like period upon application to the administrator unless otherwise revoked for cause. Each completed application for a vintner's certificate of compliance or renewal of a certificate shall be submitted electronically, or in a manner prescribed by the administrator, and shall be accompanied by a fee of two hundred dollars payable to the division. Each holder of a vintner's certificate of compliance shall furnish the information required by the administrator in the form the administrator requires. A vintner or wine bottler whose plant is located in Iowa and who otherwise holds a class "A" wine permit to sell wine at wholesale is exempt from the fee, but not the other terms and conditions. The holder of a vintner's certificate of compliance may also hold a class "A" wine permit.

2. At the time of applying for a vintner's certificate of compliance, each applicant shall file with the division a list of all class "A" wine permittees with whom it intends to do business. The listing of class "A" wine permittees as filed with the division shall be amended by the holder of the certificate of compliance as necessary to keep the listing current with the division.

3. All class "A" wine permit holders shall sell only those brands of wine which are manufactured, bottled, fermented, shipped, or imported by a person holding a current vintner's certificate of compliance. An employee or agent working for or representing the holder of a vintner's certificate of compliance within this state shall register the employee's or agent's name and address with the division. These names and addresses shall be filed with the division's copy of the certificate of compliance issued except that this provision does not require the listing of those persons who are employed on the premises of a bottling plant, or winery where wine is manufactured, fermented, or bottled in Iowa or the listing of those persons who are thereafter engaged in the transporting of the wine.

4. It is unlawful for a holder of a vintner's certificate of compliance or the holder's agent, or any class "A" wine permittee or the permittee's agent, to discriminate between class "B", special class "B", and class "E" retail alcohol licensees authorized to sell wine at retail.

5. It is unlawful for a holder of a vintner's certificate of compliance or the vintner's agent who is engaged in the business of selling wine to class "A" wine permittees to discriminate between class "A" wine permittees authorized to sell wine at wholesale.

6. Any violation of the requirements of [this chapter](#) or the rules adopted pursuant to [this chapter](#) shall subject the holder of a vintner's certificate of compliance or a class "A" wine permit holder to the general penalties provided in [this chapter](#) and shall constitute grounds for imposition of a civil penalty, suspension of the certificate or permit, or revocation of the certificate or permit after notice and opportunity for a hearing pursuant to [section 123.39](#) and [chapter 17A](#).

85 Acts, ch 32, §71; 89 Acts, ch 161, §8; 89 Acts, ch 252, §4; 2012 Acts, ch 1021, §39; 2013 Acts, ch 35, §17; 2015 Acts, ch 53, §16; 2017 Acts, ch 119, §16; 2019 Acts, ch 113, §55, 56; 2022 Acts, ch 1099, §14, 15, 81, 88

Referred to in §123.32, 123.35, 123.177

[0]2022 amendments to subsections 1 and 4 effective January 1, 2023; 2022 Acts, ch 1099, §15, 88

[0]Subsections 1 and 4 amended