

Changes Regarding Wine and Cider Sales at Farmers' Markets

INFORMATION BULLETIN NO. 040

(Effective May 1, 2016)

The Government has recently approved a number of amendments to Ontario Regulation 720 under the *Liquor Licence Act* (LLA) that will impact the sale of VQA wine and fruit wine (including cider made from 100% Ontario apples) at farmers' markets.

The amendments are aimed at reducing the administrative burden on businesses and encouraging investment and innovation in Ontario's wine industry, while continuing to ensure the responsible sale and service of alcohol.

The following regulatory changes will take effect on May 1, 2016:

Sale of VQA Wine at Farmers' Markets Extended Beyond Pilot Program

Since May 1st, 2014, the Alcohol and Gaming Commission of Ontario (AGCO) has been responsible for administering a two-year pilot project to permit the sale of Vintners' Quality Alliance (VQA) wine at farmers' markets in Ontario. The Government has approved the continuation of the program.

Fruit Wine Sales Now Permitted at Ontario Farmers' Markets

Effective May 1, 2016, AGCO authorized manufacturers of fruit wine (including cider made from 100% Ontario apples) will be permitted to sell their products at Ontario farmers' markets along with VQA wine.

The following definition for "fruit wine" has been added to Regulation 720: any Ontario wine that is a) produced from fruit grown in Ontario, other than grapes, and b) is not produced using any combination of the concentrated juice of apples grown outside of Ontario.

Manufacturers Now Have 24 Hours to Return Unsold Products to On-Site Retail Stores

After consulting with industry stakeholders, the Government has approved an amendment to Ontario Regulation 720 that now allows manufacturers to return unsold product from a farmers' market to their on-site retail store within 24 hours of the time it leaves the manufacturer's store. Previously, manufacturers were required to return any unsold product they intended to sell at a farmers' market by the end of the day.

Additional details of VQA and fruit wine sales at farmers' markets include:

- Only VQA wine and fruit wine made from 100% Ontario fruit (including cider) may be sold at farmers' markets.
- VQA and fruit wine may be offered for sale during the hours of operation of the farmers' market, although farmers' markets may choose to further limit these hours.
- Manufacturers may sell VQA and fruit wine at an occasional extension of their on-site retail store at any number of farmers' markets.
- Each authorized manufacturer may sell VQA and fruit wine up to three times a week at a particular farmers' market.
- Sampling is permitted but must be confined to the occasional extension within the farmers' market.
- All staff involved in the sale of VQA and fruit wine at a farmers' market must be certified by Smart Serve®.
- A list of the farmers' markets where VQA and fruit wine is sold is posted on the [AGCO website](#). This list is updated on a weekly basis.
- The AGCO will continue to conduct inspections of VQA and fruit wine sales at farmers' markets for compliance with the LLA and its regulations.

All sales and sampling at farmers' markets are subject to applicable legislation, regulations and AGCO policy and procedures, including the Registrar's [\(1224\) Sampling Guidelines](#) and [\(3168\) Winery Retail Store Information Guide](#), available at www.agco.ca.

For more information, please email farmersmarkets@agco.ca or call the AGCO's Customer Service Department at 416 326-8700 (GTA) or 1 800 522-2876 (toll-free in Ontario).