



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 498

**An Act to amend the Act respecting the
Société des alcools du Québec and the
Act respecting liquor permits to create a
farmer-distiller's permit**

Introduction

**Introduced by
Mr. François Bonnardel
Member for Granby**

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EXPLANATORY NOTES

Under this bill, the Société des alcools du Québec is assigned an additional function and is required to support the production of Québec alcoholic beverages and promote the resulting products.

A new class of permit, the farmer-distiller's permit, has been created and is reserved for farmers or operators required to establish an agro-environmental fertilization plan. Their products must be made with raw materials obtained from agriculture or aquaculture practised in an agricultural zone in Québec.

The conditions under which holders of a small-scale production permit may sell their alcoholic beverages have also been modified. For instance, like farmer-distiller's permit holders, they may sell their products at an agricultural or agrifood exhibition, farm producers' market, public market, fair or other public event.

Farmer-distiller's permit holders may sell their alcoholic beverages on a lot situated in an agricultural zone that the farmer or operator owns or leases or in a cooperative whose members are small-scale production permit holders, farmer-distiller's permit holders or farm producers.

Lastly, the bill amends the Act respecting liquor permits to authorize restaurant service permit holders to sell alcoholic beverages made in Québec and purchased from holders of a small-scale production permit or farmer-distiller's permit.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting liquor permits (chapter P-9.1);
- Act respecting the Société des alcools du Québec (chapter S-13).

Bill 498

AN ACT TO AMEND THE ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC AND THE ACT RESPECTING LIQUOR PERMITS TO CREATE A FARMER-DISTILLER'S PERMIT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

1. Section 16 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended by inserting the following paragraph after the first paragraph:

“The Société’s function shall also be to support the production of Québec alcoholic beverages and promote the resulting products.”

2. Section 24 of the Act is amended by inserting “farmer-distiller’s permit or” after “A” in the second paragraph.

3. Section 24.1 of the Act is amended by adding the following subparagraphs after subparagraph 3 of the second paragraph:

“(4) at an agricultural or agrifood exhibition, farm producers’ market, public market, fair or other public event;

“(5) to the holder of a grocery permit issued under the Act respecting liquor permits, provided that a numbered sticker issued by the board is affixed by the permit holder to each container, in numerical order, at the time of sale;

“(6) to the holder of a restaurant service permit issued under the Act respecting liquor permits, provided that a numbered sticker issued by the board is affixed by the permit holder to each container, in numerical order, at the time of sale.”

4. The Act is amended by inserting the following sections after section 28:

“28.1. A farmer-distiller’s permit may be issued to a farmer or operator required to establish an agro-environmental fertilization plan under section 22 of the Agricultural Operations Regulation (chapter Q-2, r. 26) if the following conditions are met:

(1) the product is made with raw materials obtained from agriculture or aquaculture practised in the territory of Québec;

(2) the place where the product is produced is situated, in whole or in part, in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

“28.2. A farmer-distiller’s permit authorizes the holder, in accordance with the regulations, to

(1) make alcohol and spirits with raw materials obtained from agriculture or aquaculture practised in Québec or their residues and bottle them;

(2) make any other alcoholic beverages provided for by regulation and bottle them;

(3) purchase from the holder of a small-scale production permit or import alcoholic beverages provided for by regulation to blend them with the products he makes;

(4) purchase and bottle spirits in the cases provided for by regulation; and

(5) distil alcoholic beverages made by the holder of a small-scale production permit, on his behalf.

Unless he ships them outside Québec, the holder of a farmer-distiller’s permit may sell and deliver the alcoholic beverages he makes only as follows:

(1) on a lot situated, in whole or in part, in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), of which the permit holder is the owner or lessee, to the holder of a permit issued under the Act respecting liquor permits (chapter P-9.1) or to any other natural person, for consumption on the premises or for consumption elsewhere;

(2) at an agricultural or agrifood exhibition, farm producers’ market, public market, fair or other public event;

(3) in a cooperative composed exclusively of small-scale production permit holders, farmer-distiller’s permit holders or farm producers.

A holder of a farmer-distiller’s permit may also sell and deliver the alcoholic beverages he makes to the Société.”

5. Section 29 of the Act is amended by replacing “or to an industrial permit holder” in the second sentence of the first paragraph by “, to an industrial permit holder or to a farmer-distiller’s permit holder”.

6. Section 30 of the Act is amended by replacing “or a small-scale beer producer’s permit” in subparagraph 5 of the first paragraph by “, a small-scale beer producer’s permit or a farmer-distiller’s permit”.

7. Section 33.2 of the Act is amended

(1) by replacing “or 2 of the second paragraph of section 24.1 or pursuant to the third paragraph of section 25” by “, 2 or 4 of the second paragraph of section 24.1, pursuant to the third paragraph of section 25 or pursuant to the second paragraph of section 28.2” in the first paragraph;

(2) by inserting “or farmer-distiller’s permit” after “a small-scale production permit” in the first paragraph.

8. Section 34 of the Act is amended by replacing “or a warehouse permit” in subparagraph 1 of the first paragraph by “, a warehouse permit or a farmer-distiller’s permit”.

9. Section 35.1.1 of the Act is amended by replacing “or 2 of the second paragraph of section 24.1 or in the third paragraph of section 25” by “, 2 or 4 of the second paragraph of section 24.1, in the third paragraph of section 25 or in the second paragraph of section 28.2”.

10. Section 37 of the Act is amended by inserting the following subparagraph after subparagraph 4 of the first paragraph:

“(4.1) drawing up, for the purposes of sections 24.1 and 28.2, the list of agricultural and agrifood exhibitions, farm producers’ markets, public markets, fairs and other public events;”.

11. Section 37.2 of the Act is amended by inserting “or farmer-distiller’s permit” after “small-scale production permit”.

12. Section 53 of the Act is amended by replacing “or an industrial permit” by “, an industrial permit or a farmer-distiller’s permit”.

ACT RESPECTING LIQUOR PERMITS

13. Section 28.1 of the Act respecting liquor permits (chapter P-9.1) is amended by adding the following paragraph at the end:

“The permit also entitles its holder to sell alcoholic beverages made in Québec, purchased from the holder of a small-scale production permit or a farmer-distiller’s permit.”

14. Section 72.1 of the Act is amended

(1) by replacing “or a cider maker’s permit” in the first paragraph by “, a cider maker’s permit or a farmer-distiller’s permit”;

(2) by inserting “and of alcoholic beverages made in Québec, purchased from the holder of a small-scale production permit or a farmer-distiller’s permit” after “at a meal” in subparagraph 1 of the second paragraph;

(3) by replacing “a cider seller’s permit or a small-scale production permit” in subparagraph 2 of the second paragraph by “a cider seller’s permit, a small-scale production permit or a farmer-distiller’s permit”;

(4) by replacing “or of a small-scale beer producer’s permit” in subparagraph 3 of the second paragraph by “, of a small-scale beer producer’s permit or of a farmer-distiller’s permit”.

15. This Act comes into force on (*insert the date of assent to this Act*).

