

SENATE SUBSTITUTE FOR

HOUSE BILL NO. 4850

(As amended November 6, 1997)

A bill to amend 1933 (Ex Sess) PA 8, entitled  
"The Michigan liquor control act,"  
by amending section 4 (MCL 436.4).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 4. ~~Exceptions to act. The provisions of this~~ THIS  
2 act ~~shall~~ DOES not ~~be construed to prevent the~~ APPLY TO THE  
3 FOLLOWING:

4       (A) THE manufacture of cider from fruit ~~,~~ for the purpose  
5 of making vinegar ~~,~~ and non-intoxicating cider and fruit juice  
6 for use and sale, and cider and fruit juice ~~shall be deemed~~  
7 ~~non-intoxicating within the meaning of this act~~ when used ~~and/~~  
8 or sold, OR BOTH, within 30 days after ~~the~~ manufacture.  
9 ~~thereof; and this act shall not apply to wine~~

10       (B) BEER, WINE, MEAD,   HONEY-BASED BEER, or cider of any  
11 alcoholic content made on the premises by the owner or lessee of

**HB 4850, As Passed Senate, November 12, 1997**

HB 4850 as amended November 6, 1997 2

1 ~~such~~ THOSE premises provided ~~such~~ THOSE premises are used and  
2 occupied by ~~such~~ THAT owner or lessee as a dwelling and ~~such~~  
3 THE BEER, wine, MEAD, HONEY-BASED BEER, or cider is made for family  
4 use and home consumption. ~~or to prevent the~~

5 (C) THE GIFT TO AN INDIVIDUAL FOR NONCOMMERCIAL USE OR CON-  
6 SUMPTION OF UP TO 20 GALLONS OF BEER, WINE, MEAD, HONEY-BASED BEER,  
7 OR CIDER PRODUCED UNDER THE CIRCUMSTANCES DESCRIBED IN SUBDIVISION (B). THIS SUBDI-  
8 VISION DOES NOT ALLOW A PERSON LESS THAN 21 YEARS OF AGE TO POS-  
9 SESS, RECEIVE AS A GIFT, OR GIVE BEER, WINE, MEAD, HONEY-BASED  
10 BEER, OR CIDER PRODUCED UNDER THE CIRCUMSTANCES DESCRIBED IN  
11 SUBDIVISION (B).

12 (D) THE sale, ~~or~~ gift, or keeping and storing for sale by  
13 druggists and general merchants and others of ~~any of the~~ medic-  
14 inal preparations manufactured in accordance with the formulas  
15 prescribed by the United States pharmacopoeia and national formu-  
16 lary, patent or proprietary preparations, and other bona fide  
17 medicinal and technical preparations, ~~which~~ THAT contain no  
18 more alcohol than is necessary to extract the medicinal proper-  
19 ties of the drugs contained in ~~such~~ THOSE preparations ~~or~~ and  
20 no more alcohol than is necessary to hold the medicinal agents in  
21 solution and to preserve ~~the same~~ THEM, ~~which~~ THAT are manu-  
22 factured and sold as medicine and not as beverages, THAT are  
23 unfit for use for beverage purposes, and the sale of which does  
24 not ~~now~~ require the payment of a United States liquor dealer's  
25 tax. ~~or to prevent the~~

26 (E) THE manufacture and sale of tinctures or of toilet,  
27 medicinal, and antiseptic preparations and solutions THAT ARE not

**HB 4850, As Passed Senate, November 12, 1997**

House Bill No. 4850

3

1 intended for internal human use ~~nor~~ OR THAT ARE NOT INTENDED to  
2 be sold as beverages, ~~and which~~ THAT are unfit for beverage  
3 purposes, and upon the outside of each bottle, box, or package of  
4 which is CONSPICUOUSLY AND LEGIBLY printed in ~~the~~ English  
5 ~~language, conspicuously and legibly,~~ the quantity by volume of  
6 alcohol in ~~such~~ THOSE preparations. ~~or to prevent the~~

7 (F) THE manufacture and keeping for sale of the food product  
8 known as flavoring extracts ~~which shall be so~~ THAT ARE manufac-  
9 tured and sold for cooking, culinary, or flavoring purposes ~~,~~  
10 and are unfit for use as a beverage or for beverage purposes, ~~+~~  
11 ~~Provided, That it shall not be lawful to~~ EXCEPT THAT A PERSON  
12 SHALL NOT manufacture or sell any toilet, medicinal, or antisep-  
13 tic preparations or solutions, or any flavoring extracts or  
14 patent or proprietary medicines or preparations, IF the manufac-  
15 ture and sale of ~~which now~~ THOSE ITEMS requires the payment of  
16 a United States liquor dealer's tax ~~,~~ except as ~~herein~~ pro-  
17 vided ~~:-~~ ~~Provided further, That nothing in this act shall apply~~  
18 ~~to the~~ IN THIS ACT.

19 (G) THE manufacture ~~and/~~ or sale, OR BOTH, of ethyl,  
20 mechanical, or industrial alcohol, not used for or made unfit for  
21 beverage purposes. ~~:-~~ ~~And provided further, That this act shall~~  
22 ~~not apply to the~~

23 (H) THE purchase of alcoholic liquor ~~as defined in this~~  
24 ~~act,~~ for use in the manufacture of toilet, medicinal, or anti-  
25 septic preparations or solutions, or any flavoring extract or  
26 patent or proprietary medicines or preparations, by a  
27 manufacturer using ~~such~~ alcoholic liquor exclusively for ~~such~~

**HB 4850, As Passed Senate, November 12, 1997**

HB 4850 as amended November 6, 1997

4

1 THE manufacturing purposes and ~~duly~~ licensed ~~therefor~~ by the  
2 commission ~~is said~~ FOR THAT USE. A license ~~to expire on May~~  
3 ~~first following the date of issuance,~~ issued ~~on~~ FOR THAT USE  
4 IS PREDICATED UPON the payment of an annual fee of ~~10 dollars~~  
5 \$10.00 and the furnishing of ~~such~~ A bond or bonds as the com-  
6 mission ~~may require~~ REQUIRES running to the people of the state  
7 of Michigan, for the faithful performance of the conditions of  
8 the license and compliance with ~~the provisions of~~ this act.  
9 THE LICENSE EXPIRES ON MAY 1 FOLLOWING THE DATE OF ITS ISSUANCE.

10

11

12