

Wine Curbside

An order placed via a telephone, mobile app or web-based software and retrieved by in-person or in-vehicle pick up by the patron who placed the order.

“**Wine**” means wine in its original sealed container.

“**Wine Growler**” means a container or jug that is made of glass, ceramic, metal, plastic, or other material approved by the commissioner (not plastic), that may be no larger than 128 fluid ounces in size and must be capable of being securely sealed. The wine growler is utilized by an authorized licensee for purposes of off-premises sales only of wine for personal consumption not on a licensed premises and not for resale. A securely sealed wine growler is not an open container under state and local law. A wine growler with a broken seal is an open container under state and local law. A wine growler is not an original container of liquor, but once sanitized, filled, properly sealed, and sold, is a sealed container.

“**Prepared food or a meal**” for this article, means food that has been cooked, grilled, fried, deep-fried, air-fried, smoked, boiled, broiled, twice baked, blanched, sautéed, or in any other manner freshly made and prepared, and does not include pre-packaged food from the manufacturer.

Class A Licensee

- must provide food or a meal along with any wine in its original sealed container or securely sealed wine growler when ordered for curbside in-person or in-vehicle pick up by a telephone, mobile app or web-based software.
- shall verify, using proper identification, prior to the sale, that any patron purchasing wine in its original sealed container or securely sealed wine growlers is 21 years of age or older and that the patron is not visibly or noticeably intoxicated.
- shall not sell, wine in its original sealed container or securely sealed wine growlers, when licensed for growler sales, to other licensees, but only to its members and guests for personal off premises consumption, not for resale.
- may not sell wine only (without food or a meal) in its original sealed container unless they are a private club with the wine off premises license (permits up to 2 bottles of wine in its original sealed container to be carried off-premises), and then only to its members and guests for personal off-premises consumption, not for resale.

Class B Licensees

- are **not** authorized for curbside in-person or in-vehicle pick up sales of wine in its original sealed container or wine growlers, except for grocery stores who have obtained the curbside wine license.

For Class A and Class B license requirements for delivery see the “Private Wine Delivery” summary

For Class A and Class B licensee growler requirements please see the “Wine Growler” summary.

Wineries and Farm Wineries should review requirements in W. Va. Code §60-8-6c.