



**STATE OF WEST VIRGINIA  
ALCOHOL BEVERAGE CONTROL ADMINISTRATION  
900 Pennsylvania Avenue, 4th Floor  
Charleston, West Virginia 25302**

**NONINTOXICATING BEER GROWLER REQUIREMENTS**

- Licensees must first meet requirements and be approved prior to growler sales.
- \$100.00 Licensure Fee (July 1—June 30 annually) *Note: Fee does not apply to Brewers, Resident Brewers or Brewpubs*
- Licensees must be in good standing with all State of West Virginia agencies as well as WVABCA Licensing and Enforcement.
- Growlers must be made of glass, ceramic or metal, or other material as approved by the WVABCA.
- Growlers may be no larger than 128 ounces.
- Growlers are for personal consumption off of the licensed premises and not for resale.
- Licensee may provide complimentary samples from product that has been purchased from licensee's inventory.
  - Complimentary samples may not exceed one (1) ounce and shall not exceed three (3) different beers per patron, per day.
  - Complimentary samples must be purchased by the licensee from its inventory with all taxes paid.
  - Licensee providing the complimentary sample shall verify age the age of patron sampling the product to be 21 years of age or older, using proper identification. Additionally, complimentary samples may not be given to patron that is visibly intoxicated.
- Advertising is permitted by price and/or brand but may not encourage intemperance.
- Growlers must be filled or refilled in a "secure area" only accessible by the licensee. (For on-premises licensees, the area behind the bar may qualify as a "secure area". For off-premises licensees, a "secure area" accessible only by the licensee will be necessary and must be inspected by the WVABCA prior to commencement of sales – see application)
- Licensees must sanitize and clean growler and all related equipment in accordance with West Virginia Code §11-16-6b.
- Licensees selling a growler must charge and collect all taxes and fees on the growler and also on the product sold in the growler.
- All growlers sold must have a secure seal that requires the use of a tamper-resistant seal, security tape or other material as approved by the WVABCA. Licensee must clearly write the date on the seal. Approved examples will be on WVABCA website ([abca.wv.gov](http://abca.wv.gov)) as submitted.
- Off-premises licensees approved for growler sales are permitted to break the seal of a keg for the limited purpose of filling a growler with draft beer for personal consumption off of the licensed premises and for limited complimentary samples.
- Licensees must visually inspect any growler – they may not fill or refill a growler that appears to be cracked, broken, unsafe or otherwise unfit to serve as a sealed beverage container.
- Licensees must label a growler with the required information as follows:
  - Conspicuous (Large and Noticeable) label containing:
    - Name of licensee selling growler
    - Brand/Product name of approved nonintoxicating beer or nonintoxicating craft beer contained in growler
    - Alcohol content by volume of product (may not exceed 15% abv)
    - Date the growler was filled or refilled by licensee
    - Consistent with all federal labeling and warning requirements - 27 CFR Chapter 1, Subchapter A

**GOVERNMENT WARNING:** (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.



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**(304) 356-5500**

**NONINTOXICATING BEER GROWLER APPLICATION**

DBA Name of Licensee: \_\_\_\_\_

Date of Application: \_\_\_\_\_

License Number: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Zip Code: \_\_\_\_\_ County: \_\_\_\_\_

*same as physical address*

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Business Telephone Number: \_\_\_\_\_

Authorized Contact Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Please submit the following items with application:

- Completed floor plan (attached form) adding the secure growler area
  - Fee made payable to: WVABCA in the form of a *certified check, cashiers check or money order*
- \*Note - Must complete a separate form and pay \$100.00 fee for each licensed premises.*

**Signature and Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*By signing above, the person hereby certifies that they are authorized to do so by title of owner, officer, member or partner, and that all answers and documents submitted pertaining to the Nonintoxicating Beer Growler Application are true, accurate and complete.*

<p><i>MAIL TO:</i>  <b>WVABCA</b>          900 Pennsylvania Ave., 4th Floor          Charleston, WV 25302          Attn: Licensing Division  <b>For more information visit our web site at: <a href="http://abca.wv.gov">abca.wv.gov</a></b></p>	<p><b>For WVABCA Use Only</b></p>
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