



**STATE OF WEST VIRGINIA**  
**ALCOHOL BEVERAGE CONTROL ADMINISTRATION**  
900 Pennsylvania Avenue, 4th Floor  
Charleston, West Virginia 25302  
(304) 356-5500

## **NONINTOXICATING BEER, WINE OR CRAFT COCKTAIL 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 (The Brewer or Resident Brewer may not produce over 25,000 gallons per year), Winery or Farm Winery (The Winery or Farm Winery may not produce over 10,000 gallons per year).*
- 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 and must be approved by the WVABCA. Plastic growlers are not approved.
- Growlers may be no larger than 128 ounces. Note: Craft cocktail growlers must accompany food or meal (No more than one growler per patron via in-person or in-vehicle pickup or in-person to a patron having dined on food or a meal and taking the growler off premises). Growlers can be smaller than 128 ounces, and must be approved. Craft cocktail growlers or wine growlers may only be provided for in-person pickup (not for in vehicle pick-up).
- Craft Cocktail growlers may only be sold by Private Club Restaurants and Private Manufacturer Club.
- Craft Cocktail growlers may be offered in the ratio of up to 1 fluid ounce of liquor to 4 fluid ounces of nonalcoholic beverages or mixers.
- Growlers are for personal consumption off of the licensed premises and not for resale.
- Licensee may provide nonintoxicating beer or wine complimentary samples from product that has been purchased from licensee's inventory.
  - Complimentary samples may not exceed 1 ounce and shall not exceed 3 different beers per patron, per day.
  - Licensee's providing the complimentary sample shall verify that patron sampling the product is 21 years of age or older, using proper identification and that the patron is not visibly or noticeably 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 (nonintoxicating beer or wine only), 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 Codes §11-16-6b, 60-7-8e, 60-8-6c and 60-8-6d.
- 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 tamper-resistant and tamper evident secure seal, as approved by the WVABCA. Licensee must clearly write the date on the seal.
- Off-premises licensees approved for growler sales are permitted to break the seal of an original container of nonintoxicating beer or wine, for the limited purpose of filling a growler with nonintoxicating beer or wine for personal consumption off of the licensed premises.
- 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:

### Nonintoxicating Beer Growler:

Conspicuous (Large and Noticeable) label containing:

- Name of licensee selling growler.
- Alcohol content by volume of product (may not exceed 15% abv for nonintoxicating beer).
- Brand/Product name of approved nonintoxicating beer or nonintoxicating craft beer contained in growler.
- Date the growler was filled or refilled by licensee.
- Consistent with all federal labeling and warning requirements.

**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.

### Wine Growler:

Conspicuous (Large and Noticeable) label containing:

- Name of Licensee selling the wine growler.
- Brand of wine in growler.
- Alcohol content by volume of the wine.
- 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.

### Craft Cocktail Growler:

Conspicuous (Large and Noticeable) label containing:

- Name of Licensee selling the wine growler.
- Brand of liquor in the craft cocktail growler.
- Alcohol content by volume of the liquor in the craft cocktail growler (all alcohol used must be listed).
- 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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- Non-Intoxicating Beer Growler...  
\$100 (\$0.00 for Brewer, Resident Brewer or Brewpub)
- Winery or Farm Winery  
Growler ..\$0.00
- Retail Wine Growler...\$100.00
- Craft Cocktail Growler ... \$100.00  
(Private Club Restaurant or Private  
Manufacturer Club)

**NONINTOXICATING BEER, WINE OR CRAFT COCKTAIL 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 all applicable fees 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, Wine or Craft Cocktail 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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