

Wine Growlers

“**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.

Class A or Class B Licensees:

- shall verify, using proper identification, prior to the sale, that any patron purchasing the growler is 21 years of age or older, that the patron is not visibly or noticeably intoxicated, and the patron has not been consuming alcohol on the licensee’s licensed premises.
- may provide samples when purchasing a wine growler, but not more than 3 – 2 ounce samples for each purchase, per patron per day.
- shall not sell growlers to other licensees, but only to its members and guests for personal off premises consumption, not for resale.
- must prevent patrons from accessing the secure area where the filling of the growler occurs or to fill a growler.
- must sanitize, fill, or refill a used but clean growler, securely seal, and label any growler prior to its sale.
- shall visually safety inspect any growler before filling or refilling it and must be securely sealed.
- may not fill or refill any growler that appears to be cracked, broken, unsafe, or otherwise unfit to serve as a sealed beverage container.
- A secure sealing means using a **tamper-evident seal**, such as: (1) A plastic heat shrink wrap band, strip, or sleeve extending around the cap or lid of a growler to form a seal that must be broken when the container is opened; or (2) A screw top cap or lid that breaks apart when the growler is opened.
- shall affix a **conspicuous label** on all sold and securely sealed growlers listing the name of the licensee selling the growler, the brand of the wine in the growler, the alcohol content by volume of the wine in the growler, and the date the growler was filled or refilled. All labeling on the growler shall be consistent with all federal labeling and warning requirements.
- shall clean and sanitize all growlers he or she fills or refills in accordance with all state and county health requirements prior to its sealing.
- Purchases of wine growlers may be made by patrons who physically order while at the licensed premises.

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

For Class A and Class B licensee requirements for in-person and in-vehicle pick up when an order is made via telephone, mobile application or web-based software, please see the “Private Wine Curbside” summary.

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