Illinois Liquor Control Commission
Sales and Delivery of “To Go” Mixed Drinks/Cocktails and Single Servings of Wine
June 14, 2021

A State of Illinois combined retailer licensee (“Combined 1A Licensee”) or a licensee with both an on-premises and off-premises license may sell and deliver “to go” mixed drinks/cocktails and single servings of wine for off-premises consumption strictly under the following conditions:

1. A mixed drink/cocktail is any alcoholic liquor (beer, wine, spirits) mixed with a non-alcoholic beverage such as “fruit juice, lemonade, cream, or a carbonated beverage.” Mixed drinks/cocktails may include beverages packaged in the manufacturer’s original container.

2. The mixed drink/cocktail and single serving of wine container originally filled by a retailer shall be:
   a. New/unused and rigid. A rigid container includes glass, metal, or ceramic material. A rigid container does not include plastic, paper, or Styrofoam;
   b. Sealed with a secure cap or lid that is tamper-proof or tamper-evident (includes wax-dip seals and heat shrink wrap covers). The lid shall not have sipping holes or holes designed for straws;
   c. Filled and sealed by the retailer’s employee.

3. Retailer filled mixed drinks/cocktails and single servings of wine shall be labeled in the following manner:
   a. The name of the mixed drink/cocktail ingredients, type, and name of the alcohol;
   b. The name, license number, and address of the retail licensee that filled the container and sold the product;
   c. The volume of the mixed drink/cocktail or single serving of wine in the container; and
   d. The date the container was sealed. The sealed container must be filled less than 7 days before the date of sale.

4. Mixed drinks/cocktails packaged by the manufacturer in the original container and sold pursuant to 235 ILCS 5/6-28.8 “shall be affixed with a label or tag that contains the name, license number, and address of the retail licensee that sold the product.”

5. The mixed drink/cocktail or single serving of wine may be delivered to the consumer:
   a. Inside the licensed business over the counter; or
   b. By curbside delivery by a retailer employee; or
   c. By home delivery by a retailer employee.
6. The mixed drink/cocktail or single serving of wine shall not be transferred to the consumer:
   a. By way of drive-through service; or
   b. Home delivery by a third-party delivery company. Delivery by third party delivery companies pursuant to 235 ILCS 5/6-28.8 is not permitted.

7. The retailer employee transferring the mixed drink/cocktail or single serving of wine shall:
   a. Hold a valid server training certificate by a certified Beverage Alcohol Sellers and Servers Education and Training (BASSET) trainer;
   b. Be 21 years of age or older;
   c. Comply with any applicable requirements of the Governor’s executive orders declaring a disaster;
   d. Verify the age to whom the mixed drink/cocktail or single serving of wine is delivered (if the employee delivering the cocktail is not able to safely verify a person’s age and level of intoxication upon delivery, the employee shall cancel the sale of alcohol and return the product to the retail license holder);
   e. For curbside or home deliveries, place the sealed container in the vehicle trunk or (if no trunk) other vehicle compartment not readily accessible to the passenger area.

8. Mixed drink/cocktail or single serving of wine delivery is limited to Combined 1A Licensees.

9. No licensee authorized by law to manufacture alcoholic liquor shall conduct mixed drink/cocktail or single serving of wine deliveries pursuant to 235 ILCS 5/6-28.8. This prohibition includes all manufacturer class license holders (as defined in Section 5/5-1(a) of the Liquor Control Act), wine-maker’s premises, brew pubs, and distilling pubs.

The authority to sell mixed drinks/cocktails and single servings of wine (under the conditions set forth herein) is scheduled to expire on January 3, 2024.

As of July 1, 2021 and pursuant to 235 ILCS 5/5-1(d) of the Illinois Liquor Control Act, on-premises only State of Illinois retail license holders shall not sell alcoholic liquor for delivery including deliveries under 235 ILCS 5/6-28.8. Only retail license holders with combined on/off premises consumption and off-premises consumption only State of Illinois retailer licenses may sell alcoholic liquor for delivery. Off-premises consumption only retailers shall not deliver alcoholic liquor unless such products are sealed in the manufacturer’s unopened original package.

Local municipalities may prohibit or further restrict the sales and delivery of “to go” mixed drinks/cocktails and single servings of wine. Licensed retailers should contact the local liquor control commissioner prior to engaging the sales and delivery of “to go” mixed drinks/cocktails and single servings of wine to ensure compliance with local laws.

NOTE: Off-Premises Only retailers and Combined 1A Licensees may conduct deliveries of alcoholic
liquor in the original manufacturer’s package pursuant to 235 ILCS 5/5-1(d).

**NOTE:** If a retailer is authorized by local license to sell alcoholic liquor for on and off-premises consumption but holds a State of Illinois “on-premises only” license, the retailer may change the State retailer license to a Combined 1A License by contacting the Commission Licensing Division at lcc.licensing@illinois.gov.