



## ILLINOIS LIQUOR CONTROL COMMISSION

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### Illinois Liquor Control Commission

#### Sales and Delivery of "To Go" Mixed Drinks/Cocktails and Single Servings of Wine

A State of Illinois combined retailer licensee ("Combined 1A Licensee") or a retailer licensee (1A) 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 or a retailer licensee (1A) with both an on-premises and off-premises license.
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](mailto:lcc.licensing@illinois.gov).