

INFORMATION BULLETIN – No. 009

Bring Your Own Wine / Take Home The Rest

(January 2005)

The Alcohol and Gaming Commission of Ontario (AGCO) is pleased to announce effective January 24, 2005, licensed establishments may choose to participate in the “bring-your-own-wine” and “take home the rest” programs.

Amendments have been made to the *Liquor Licence Act*, its Regulations and AGCO policies to allow patrons to bring commercially-made wine to participating licensed establishments and to remove partially consumed wine from a licensed premise.

These changes give consumers a new choice for how they wish to spend their entertainment dollars, and the hospitality industry greater flexibility in operating their business. Existing regulations that serve to ensure responsible sale, service and consumption of liquor are maintained.

The amendments to the *Liquor Licence Act* also increase public safety by:

- Allowing the Registrar of Alcohol and Gaming to immediately suspend a liquor licence where there is a threat to public safety.
- Doubling the minimum fines for offences related to liquor and underage persons. The minimum fine for a licensee would increase from \$500 to \$1,000, and for a non-licensee from \$100 to \$200.
- Creating new offences for failing to leave a premise when required to by a police officer, or for returning to a premise the same day after being asked to leave by a police officer.

Bring Your Own Wine (BYOW)

Licensed establishments wishing to offer their patrons BYOW must first obtain a “BYOW Endorsement” from the Registrar of Alcohol and Gaming.

BYOW is intended for food service establishments in order to enhance the dining experience. Licensed establishments operating family and fine dining restaurants, cafes, hotel and motel restaurants, and similar types of restaurants are eligible for BYOW. A licensed banquet room located in a hotel or motel is also eligible for BYOW when attendees are seated at tables eating a meal.

Eligible licensees participating in BYOW are subject to all rules, regulations and policies governing the sale and service of liquor. Commercially-made wine brought in by a patron would be served in the same manner as wine selected from the menu. Although not a requirement, eligible licensed establishments that choose to participate in BYOW may charge a ‘corkage fee’ for this service.

Take Home The Rest (THTR)

The amendments also allow all licensed establishments the option of permitting patrons to remove an unfinished bottle of wine. THTR applies only to commercially-made wine brought onto the premises under the BYOW program or ordered from the licensed establishment as part of their meal.

Licensed establishments are required to reseal partially consumed bottles of wine, allowing patrons to take the remaining wine home with them. Customers are not permitted to remove unopened bottles of wine under the “take home the rest” program unless it is wine brought by the customer under BYOW.

The “take home the rest” program only applies to wine. It does not apply to spirits or beer.

For more information about BYOW and THTR, please visit our web site at <http://www.agco.on.ca> or contact our head office at (416) 326-8700 or toll free at 1-800-522-2876.