

FULL ON-PREMISES LICENSEES MIXED DRINKS AND WINE TO-GO

The legislature recently passed SB 1801, which temporarily enables Full On-Premises Sales licensees to sell cocktails and single servings of wine to-go. The Commission created this guidance specifically to address takeout and delivery of mixed drinks and wine by Full On-Premises Sales licensees. Full On-Premises licensees may continue to sell growlers of beer, wine, or cider.

WHAT ARE "DRINKS TO-GO"?

- "Mixed drink" (cocktail) means a beverage that is combined on a licensed premises and sold in a sealed container for consumption off of the licensed premises and is:
 - A drink where the principal alcoholic liquor is distilled liquor and one or more mixers, and contains no more than three ounces of distilled liquor; or
 - A drink where the principal alcoholic liquor is wine combined with one or more mixers or distilled liquor that contains no more than six ounces of liquid.
- "Mixer" means malt beverages, wine, cider or non-alcoholic ingredients.
- "Serving of wine" means a container holding six ounces or less of wine with no mixer and no distilled liquor.

WHAT'S REQUIRED?

Individual Drink Size Limits

- Drinks with distilled liquor sold for off-premises consumption or delivery:
 - May contain no more than three ounces of distilled liquor.
 - A wine-based drink containing distilled liquor or mixers must be no more than six ounces in total.
- Wine with no mixers may be sold for delivery in serving sizes that are six ounces or less.
- "Neat" or distilled liquor without a mixer is **not** allowed to be sold for off-premises consumption or delivery.

Food Sales Required with Drinks

- Every sale of a drink to go must be accompanied by a [substantial food item](#).
- Some examples could include but are not limited to items such as fish, steak, chicken, pasta, pizza, sandwiches, dinner salads, hot dogs, soup and sausages. Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips and crackers **do not qualify** as substantial food items. See [OAR 845-006-0459](#) for additional guidance.
- The [substantial food item](#) must be prepared or cooked on the licensed premises.

Drink Limits - 2 maximum per substantial food item ordered

- The mixed drink or wine order must be accompanied by an order for a substantial food item, and must be limited to two drinks or fewer per substantial food item.

Required Signage - Customer Notice

- Licensees must prominently display on the premises a notice about open containers and drinking in public.
- Failure to post this notice **may result in a Category IV violation.**
- Please visit <https://www.oregon.gov/olcc/Pages/drinks-to-go.aspx> to download a printable version.

Packaging

- All mixed drinks and single-servings of wine must be placed in a sealed container before leaving the licensed premises.
- “Sealed container” means a container with a secure cap or lid that completely covers the opening for the container and a seal designed to make it evident when the seal has been removed or broken. The seal is affixed to the container by the licensee after the container is filled pursuant to a consumer order for the drink. This may include the use tape or other adhesive.

Curbside and Takeout

- Licensees may sell drinks to-go by allowing customers to pick up the order at the premises or curbside (within 100 ft. of the premises).

Delivery of Drinks

Full On-Premises Sales licensees may deliver alcohol drinks only between the hours of **7:00 am and 10:00 pm** as follows:

- To a resident of Oregon who is at least 21 years of age and for personal use only not for resale;
- To a resident who is not visibly intoxicated at the time of receiving the mixed drink or wine;
- The drink is in a sealed container that is conspicuously labeled with the words **“Contains alcohol: deliver only to a person age 21 years or older”** or similar language approved by the Commission. This message may be directly on the sealed container or within the packaging holding the drink;
- Pursuant to an order for a drink that is received by the licensee and paid for by the resident prior to removal from the licensed premises for delivery to the resident;
- To a home, business or curbside (within 100 feet of the licensed premises);
- Licensees must keep a record of each delivery, as described in [OAR 845-006-0399 \(5\)\(d\)](#).
 - Licensees may choose to use For-Hire Carriers to provide delivery. Please see: https://www.oregon.gov/olcc/docs/covid19/COVID19_DistilleryDelivery.pdf

Accepting orders for mixed drinks and wine through third-party platforms

- “Third-party platform” means a website, mobile application or other electronic service that facilitates the order of food and beverages for sale to a consumer by a licensee and that provides one or more the following services.
- Full on-premises sales licensees may use third-party platforms for mixed drink and single-serving wine order facilitation services. Licensees and third-party platforms must follow the OLCC’s [COVID-19 Interim Policy: Third-Party \(E-commerce\) Platforms](#). Third-party platforms that want to offer delivery services must become an [approved for-hire carrier](#).

If you have questions about drinks to go, please visit our [website](#) or contact: alcohol@oregon.gov