






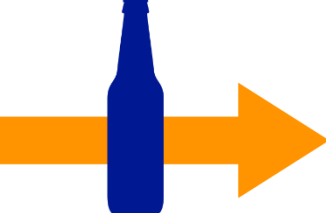









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### Alcoholic Liquor To Go / For Delivery

 <b>Beer, Wine, Mixed Spirit Drink, Spirits, and Mixed Drinks/Cocktails Filled In Qualified Container</b>	<b>Class C, Tavern A-Hotel, B-Hotel Club, G-1, G-2</b>    May Sell And Deliver To Customers	<b>Specially Designated Distributor (SDD)</b>  	<b>Specially Designated Merchant (SDM)</b>     May Fill & Sell Growlers Of Beer Only Pursuant To MCL 436.1537	<b>Manufacturer With Tasting Room Permit Or License</b>    May Sell And Deliver To Customers	<b>Third Party Facilitator Service Licensee</b>    May Deliver To Customers On Behalf Of Retailer Licensees Only
 <b>Beer, Wine, Mixed Spirit Drink, and Spirits In Original Container</b>	  If The Licensee Holds An SDM License It Can Sell And Deliver Beer & Wine Only In Its Original Container	  May Sell And Deliver To Customers	  May Sell And Deliver To Customers	  May Sell To Customers  Micro Brewers May Sell & Deliver Beer to Customers  Small Wine Makers May Sell & Deliver Wine to Customers if the Licensee Also Holds a Direct Shipper License	  May Deliver To Customers On Behalf Of SDD Or SDM Licensees

### Licensees That Sell Alcoholic Liquor For On-Premises Consumption

Pursuant to MCL 436.1537a, a qualified licensee may sell alcoholic liquor (beer, wine, spirits, mixed spirit drink, spirits, or mixed drinks/cocktails) in a qualified container to customers for consumption off the licensed premises. The licensee or the licensee’s employee must not fill the qualified container in advance of a sale. The licensee or the licensee’s employee must seal the qualified container. A qualified licensee must not sell alcoholic liquor to a customer to go in its original container\*.

A qualified licensee may also deliver alcoholic liquor in a qualified container to a customer. The licensee must stamp, print, or label the outside of the qualified container for delivery with the following statement: “Contains Alcohol. Must be delivered to a person 21 years of age or older”. The recipient of the qualified container must provide identification to verify his or her age. The licensee or the licensee’s employee must seal the qualified container. If the licensee is a Class C, Tavern, A-Hotel, B-Hotel, Brewpub, Club, G-1, or G-2 licensee, it may have its own employees deliver the qualified container of alcoholic liquor to a customer or it may utilize a Third Party Facilitator Service licensee to make the delivery. A manufacturer licensee with an approved tasting room permit or license may make a delivery of alcoholic liquor in a qualified container to a customer using only its own employees.

#### Qualified Licensees

- Class C license
- Tavern license
- A-Hotel license
- B-Hotel license
- Brewpub license
- Club license
- G-1 or G-2 license
- Manufacturer licensee with an On-Premises Tasting Room Permit
- Manufacturer licensee with an Off-Premises Tasting Room License
- Manufacturer licensee with a Joint Off-Premises Tasting Room License

A qualified container is a clean, sealable container that has a liquid capacity of one (1) gallon or less. After the container is filled it must be sealed with a device or material that is used to fully close off the container securely. The container can have no perforations or straw holes.

*\*Manufacturers with approved tasting room permits or licenses may sell alcoholic liquor that they manufactured to a customer to go in its original, unopened container. An on-premises retailer licensee that also holds a Specially Designated Merchant (SDM) license may sell beer and wine in original, unopened container to a customer to go.*

### **Licensees That Sell Alcoholic Liquor For Off-Premises Consumption**

The following license types may sell alcoholic liquor (beer, wine, mixed spirit drink, or spirits) in original, unopened containers to customers for consumption off the premises:

- Specially Designated Distributor license
- Specially Designated Merchant license
- Any combination of manufacturer licenses with On-Premises Tasting Room Permit:
  - Micro Brewer license
  - Brewer license
  - Small Wine Maker license
  - Wine Maker license
  - Small Distiller license
  - Distiller/Manufacturer of Spirits license
  - Mixed Spirit Drink Manufacturer license
- Off-Premises Tasting Room license
- Joint Off-Premises Tasting Room license

Specially Designated Merchant (SDM) licenses may deliver beer and wine in original, unopened containers to customers at their homes or designated locations in compliance with MCL 436.1203(12):

- The beer or wine is delivered by the SDM licensee's own employees.
- The SDM licensee or its employee who delivers the beer or wine verifies that the individual accepting delivery is at least 21 years of age.
- If the SDM licensee or its employee intends to provide service to consumers, the SDM licensee or its employee providing the service has received alcohol server training through a server training program approved by the Commission.

Specially Designated Distributor (SDD) licenses may deliver spirits and mixed spirit drink products in original, unopened containers to customers at their homes or designated locations in compliance with MCL 436.1203(14):

- The spirits are delivered by the retailer's own employees.
- The SDD or its employee who delivers the spirits verifies that the individual accepting delivery is at least 21 years of age.
- If the SDD or its employee intends to provide service to consumers, the retailer or its employee providing the service has received alcohol server training through a server training program approved by the Commission.

Businesses with Brewpub and Micro Brewer licenses may deliver beer they manufacture to customers at their homes or designated locations in compliance with MCL 436.1203(12):

- The beer is delivered by the Brewpub's or Micro Brewer's own employees.
- The Brewpub or Micro Brewer or its employee who delivers the beer verifies that the individual accepting delivery is at least 21 years of age.
- If the Brewpub or Micro Brewer or its employee intends to provide service to consumers, the Brewpub or Micro Brewer or its employee providing the service has received alcohol server training through a server training program approved by the Commission.

A Wine Maker or Small Wine Maker licensee that holds a Direct Shipper license may deliver wine in an original, unopened container to customers at their home if the licensee complies with the conditions of [MCL 436.1203\(4\)](#).

Third Party Facilitator Service licensees may deliver beer, wine, or spirits in original, unopened containers on behalf of SDD and SDM licensees to customers at their homes or designated locations in compliance with MCL 436.1203(15) and (16):

- If the Third Party Facilitator Service licensee delivers beer, wine, or spirits, the third party facilitator service verifies that the individual accepting the delivery of the beer, wine, or spirits is at least 21 years of age.
- The retailer or consumer pays the fees associated with deliveries.
- The Third Party Facilitator Service licensee offers services for all brands available at the SDD or SDM licensed location.

### **Specially Designated Merchant Licensees Filing Growlers**

Pursuant to MCL 436.1537(6) and (8), a Specially Designated Merchant (SDM) licensee may fill growlers of beer. The SDM licensee must comply with the requirements for food service establishments under the Food Law of 2000, pursuant to MCL 436.1537(6)(a).

Pursuant to MCL 436.1537(8)(b), a growler container that can be filled by an SDM licensee may be any clean, refillable, resealable container that is exclusively intended, and used only, for the sale of beer for consumption off the premises. The capacity of the growler container cannot exceed 1 gallon.

Filling of growlers by SDM licensees must comply with the following requirements:

1. The licensee shall not fill a growler in advance of the sale.
2. The licensee shall only fill growlers from another container that has a capacity of 5 gallons or more.
3. The beer to be filled must have a registration number from the Commission pursuant to administrative rule R 436.1611(1)(d).
4. The growler is sealed and a label is affixed that includes the brand name of the beer, the class of beer\*, net contents of the container, and the name of the retailer filling the growler.

*\*The "class" is, generally speaking, a term like "ale", "malt liquor", "lager", etc. These are designations from the TTB and can be found in the TTB Beverage Alcohol Manual for labeling malt beverages: <https://www.ttb.gov/beer/bam.shtml>.*

Revised 07-01-2020