

Date: August 1, 2012

To: All LCLB staff  
All Industry Associations  
All Local Governments and Police

Re: Amendment to the Liquor Control and Licensing Regulation respecting the ability for food primary licensees to allow customers to bring their own wine to consume at the restaurant.

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The purpose of this policy directive is to clarify a previous announcement of an amendment to the Liquor Control and Licensing Regulation section 42 affecting food primary (FP) licensees. This amendment permits customers to bring their own bottle of wine into a licensed restaurant to consume with their meal. This change takes effect immediately.

This policy directive replaces Policy Directive 12-03.

### **BACKGROUND**

"Bring Your Own Wine" was initiated by the Liquor Control and Licensing Branch to offer more choice and flexibility for both customers and businesses as well as increased licensee promotional opportunities.

### **POLICY**

Section 42 of the Liquor Control and Licensing Regulation has been amended.

- Food Primary restaurants may allow customers to bring their own bottle of wine into licensed restaurants. Subject to the licensees' approval this could also include boxed wine. Food Primary establishments or parts of establishments that are event driven and lack daily operating hours in which they are open to the public (e.g. banquet rooms) may not permit patrons to bring their own wine into the establishment or that part of the establishment.
- Participation is up to the individual licensee. Licensees are not compelled to allow a customer to bring their own wine.
- Licensees are not required to seek approval or provide notice to the Liquor Control and Licensing Branch that they are participating.
- The wine must be unopened and commercially produced and includes table wine, sparkling wine, fortified wines such as port and sherry and Asian wine-like products such as sake which are not distilled. The wine may be purchased from a BC based government or private liquor or wine store or be product the patron has purchased outside of BC. No UVin or home made products are permitted.

- Larger bottles or package sizes of wine are permitted but licensees need to be cognizant of the increased risk of patron overconsumption and intoxication (see below).
- Customers must hand the bottle to the licensee or staff person as soon as they enter the restaurant.
- The wine is served in the same manner as wine selected from the menu. The licensee may set a corkage fee for this service.
- Customers may take away unfinished bottles of wine. Your staff must reseal the bottle with either a cork or screw cap. Boxed wine requires no resealing. You must tell customers who are driving that they must store the wine behind the rear seat, in the trunk, or in an exterior compartment – it must be out of reach of people in the car. It is no longer a requirement that a new cork or stopper be placed in the bottle. Customers may also take home unfinished boxes of wine.
- Unfinished bottles of wine may not be added to the licensee's inventory.
- Licensees are still bound by responsible service requirements and must not over serve patrons or serve intoxicated patrons. If patrons do over consume, the licensee, as always, is required to cease service, remove the patron from the establishment and ensure they have a safe means of getting home.

**Effective Immediately:**

Subject to the terms and conditions outlined above, Food Primary licensees may permit customers to bring their own bottle of wine into a restaurant.

**FURTHER INFORMATION**

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb). If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250-952-5787 if calling from the Victoria area.



Karen Ayers  
Assistant Deputy Minister and General Manager