



AGCO

Alcohol and Gaming
Commission of Ontario

Responsible Service Tip Sheet:

BRING YOUR OWN WINE ENDORSEMENT

INFORMATION SHEET FROM THE ALCOHOL AND GAMING COMMISSION OF ONTARIO



The Bring Your Own Wine (BYOW) Endorsement is voluntary and gives eligible liquor sales licensees the opportunity to provide their patrons with an additional service. With a BYOW Endorsement, restaurants or banquet rooms in a hotel or a motel may allow their patrons to bring their favourite bottle of commercially-made wine to enjoy with their meal. There is no fee to obtain a BYOW Endorsement.

An Endorsement is an add-on to your Liquor Sales Licence that allows you to sell and serve alcohol in certain situations apart from those generally permitted by your licence. An Endorsement can only be combined with an eligible Liquor Sales Licence, and not every licensee with a valid Liquor Sales Licence will be eligible for each type of Endorsement.

WHO IS ELIGIBLE FOR A BYOW ENDORSEMENT?

The BYOW Endorsement is available to liquor sales licensees who own restaurants and hotel or motel banquet rooms. All types of licensed restaurants are eligible, including family and fine dining restaurants, cafés, and hotel and motel restaurants. Licensed banquet rooms are only eligible when they are located in a hotel or motel.

A BYOW Endorsement may be used only at the physical location of the licensed premises. If a licensee also has a Caterer's Endorsement, BYOW is not permitted at the catered event.

HOW DOES BYOW WORK?

BYOW applies to unopened bottles of commercially-made wine that patrons bring to your licensed establishment; patrons cannot bring their own bottles of spirits or beer. Commercially-made wine only includes wine made by a manufacturer. It does not include wine made at a ferment-on-premise facility or any other type of homemade wine, or fortified wine (containing more than 14.9% alcohol). The bottle must be new, with its manufacturer's seal intact.

When patrons are leaving the establishment, they may take the remaining wine with them, but only if the bottle has been sealed with a cork inserted flush with the top of the bottle. This is required even if the bottle originally had a screw cap closure. If a bottle of wine brought in under BYOW has not been opened, it may also be removed. A licensee cannot store BYOW wine for a patron, so when the patron leaves the premises any unused wine left behind must be discarded.

There are no other specific restrictions or requirements for a BYOW Endorsement. Each licensee is free to set his/her own house policies regarding how BYOW is offered.

This includes:

- What fee, if any, to charge for uncorking a wine bottle (the fee may be changed for different days or times);
- When to make BYOW available;
- Setting the number of bottles that a patron is allowed to bring into the establishment;
- Whether or not to display signage to let your customers know that BYOW is offered at the establishment; and
- Requiring any minimum food order if your patrons bring their own wine.

If you choose to offer BYOW, you will be subject to all the rules, regulations and policies governing the sale and service of liquor at your establishment. Commercially-made wine brought in by a patron under BYOW is to be served in the same manner as wine selected from your menu.

THINGS TO REMEMBER

- ✓ If applying for a BYOW Endorsement, you must already hold a valid eligible Liquor Sales Licence, or apply for a Liquor Sales Licence and the BYOW Endorsement at the same time.
- ✓ The BYOW Endorsement – like any other type of Endorsement – expires when the Liquor Sales Licence it is attached to expires.
- ✓ There is no fee to apply for a BYOW Endorsement.
- ✓ Unopened bottles of commercially-made wine are the only beverage alcohol permitted under BYOW.
- ✓ Only the licensee or an employee of the establishment is permitted to open a BYOW bottle for patrons.
- ✓ You cannot use a BYOW Endorsement at an event held under your Caterer's Endorsement.

KNOW THE LAW

As a liquor sales licensee, you must operate in compliance with the *Liquor Licence Act* and its regulations. This includes ensuring that no one becomes intoxicated and minors do not have alcohol in your premises. Breaches of the liquor laws can lead to an administrative sanction against your Liquor Sales Licence, which could include a suspension or revocation of your licence.

For more information, please contact AGCO Customer Service at 416-326-8700 or 1-800-522-2876 (toll free in Ontario) or visit us online at www.agco.ca.