

## How to Comply with the New Wine to Go Laws

There has been much talk and even more confusion recently about the wine-to-go-laws enacted across the nation. These laws have also been referred to as: cork 'n carry laws, merlot to go laws, wine doggie bag bills, pinot to go laws, and re-corking policies, just to name a few. No wonder ever one is confused! What exactly do restaurant owners who sell wine know about the law and what are they doing to comply?

I decided to go out and ask one of my favorite restaurants what they knew about the law and how they were complying. The restaurant is a phenomenal restaurant located in West Palm Beach, Florida named The Okeechobee Steakhouse. This establishment has been in existence since 1947 and I was certain that they would have policies and procedures in place to comply with the wine to go law and at the same time reduce their liability.

If you're like my husband and I, then you enjoy making a whole evening out of dinner. We began by waiting for our table at the bar and ordering a bottle of wine. As usual, we had a glass at the bar and brought the rest to our table for dinner. Long story short, after enjoying our salad, meal and dessert there was no wine left over to take home. What a surprise! After all those years with the pressure of not being able to take a good bottle of wine home with us - we mastered the art of finishing it with dinner.

Even though there was no more wine left, I still needed to find out the answer to my question: What is this restaurant doing to comply with the new Florida wine-to-go law? We, therefore, asked to speak directly to the manager. Once the restaurant manager arrived at our table, we asked her if she had heard of the wine-to-go law that was recently passed? She immediately responded "of course I have." We then asked what the restaurant was doing to comply? With a puzzled look on her face, she said "Well, we re-cork it and let the customer leave with it". Wow...I was shocked. This is an extremely well known restaurant willing to risk everything they have built over nearly 60 years... without even knowing it!

After that evening, each night we went out to dinner, we would ask the same question: Have you heard about the new wine to go law and what are you doing to comply? We received a variety of answers, from "We have never heard of the law, what is it?" to "We re-cork it and put it in a plastic grocery bag and hope for the best."

So, what exactly should have been done? The Florida Statute 564.09 states that a restaurant licensed to sell wine may permit a patron to remove one unsealed bottle of wine provided the following conditions are met:

• The patron consumed a portion of the wine with the purchase of a full meal.

• The restaurant securely reseals the bottle.

• The bottle is placed in a bag that is secured in a manner that is visibly apparent if the bag has been opened.

• A dated receipt for the wine and the meal is attached.

Although the laws vary from state to state, about 34 states of passed such laws. For specifics on your state go to [www.togobrand.com/usmap.htm](http://www.togobrand.com/usmap.htm)

### About the Author

Christine Smith specializes in helping restaurants limit liability exposure and maximize marketing efforts. Specifics of the wine to go law vary from state to state and about 34 states of passed such laws. To view your state law, visit <http://www.togobrand.com/usmap.htm>.

Source: <http://www.articletrader.com>