

PREVENTION ACTION ALERT

COCKTAILS-TO-GO

The Illinois Liquor Control Act of 1934 was amended during the pandemic to allow for Cocktails-To-Go to be sold or delivered. "As of July 1, 2021 and pursuant to 235 ILCS 5/5-1(d) of the Illinois Liquor Control Act, on-premises only State of Illinois retail license holders shall not sell alcoholic liquor for delivery including deliveries under 235 ILCS 5/6-28.8. Only retail license holders with combined on/off premises consumption and off-premises consumption only State of Illinois retailer licenses may sell alcoholic liquor for delivery. Off-premises consumption only retailers shall not deliver alcoholic liquor unless such products are sealed in the manufacturer's unopened original package." ([Illinois Liquor Control Commission, Sales and Delivery of "To Go" Mixed Drinks/Cocktails and Single Servings of Wine](#))

Cocktails-To-Go is set to sunset in January 2024.

Prevention coalitions can submit evidence to the Illinois Liquor Control Commission (ILCC).

If you witness a violation of the temporary Cocktails-To-Go rules, you can report it via the [ILCC website](#) – Submit an Online Tip is located at the bottom of the home page.

Your photos/photographic evidence can help legislators make a more informed and educated decision.

WHAT CAN BE SOLD

- Cocktails-To-Go/mixed drinks
- Single servings of wine

WHERE CAN IT BE SOLD/DELIVERED

- Inside the licensed business over the counter; or
- By curbside delivery by a retailer employee; or
- By home delivery by a retailer employee

A mixed drink/cocktail is "any alcoholic liquor (beer, wine, spirits) mixed with a non-alcoholic beverage such as 'fruit juice, lemonade, cream, or a carbonated beverage.' Mixed drinks/cocktails may include beverages packaged in the manufacturer's original container." ([Illinois Liquor Control Commission, Sales and Delivery of "To Go" Mixed Drinks/Cocktails and Single Servings of Wine](#))

CONDITIONS

The container originally filled by a container shall be:

- New/unused and rigid. A rigid container includes glass, metal, or ceramic material. A rigid container does not include plastic, paper, or Styrofoam.
- Sealed with a secure cap or lid that is tamper-proof or tamper-evident (includes wax-dip seals and heat shrink wrap covers). The lid shall not have sipping holes or holes designed for straws.
- Filled and sealed by the retailer's employee.

LABELING REQUIREMENTS

- The name of the mixed drink/cocktail ingredients, type, and name of the alcohol.
- The name, license number, and address of the retail licensee that filled the container and sold the product.
- The volume of the mixed drink/cocktail or single serving of wine in the container.
- The date the container was sealed.
- The sealed container must be filled less than 7 days before the date of sale.

RETAILER RESPONSIBILITY

The retailer employee transferring the mixed drink/cocktail or single serving of wine shall:

- Hold a valid server training certificate from a certified Beverage Alcohol Sellers and Servers Education and Training (BASSET) trainer.
- Be 21 years of age or older.
- Comply with any applicable requirements of the Governor's executive orders declaring a disaster.
- Verify the age to whom the mixed drink/cocktail or single serving of wine is delivered (if the employee delivering the cocktail is not able to safely verify a person's age and level of intoxication upon delivery, the employee shall cancel the sale of alcohol and return the product to the retail license holder).
- For curbside or home deliveries, place the sealed container in the vehicle trunk or (if no trunk) other vehicle compartments not readily accessible to the passenger area.

SOURCES

- [Illinois Liquor Control Commission](#)
- Illinois Compiled Statutes
[LIQUOR \(235 ILCS 5/\) Liquor Control Act of 1934](#)

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