



## WEST VIRGINIA ALLOWS BEER AND WINE HOME DELIVERIES DURING COVID-19 OUTBREAK

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By Caleb Knight

West Virginia Governor Jim Justice issued an executive order late yesterday, April 2, 2020, that permits limited home delivery of sealed beer and wine for the duration of the COVID-19 state of emergency. This approval, which has long been sought by the craft beverage community, applies differently to the different licenses issued by the ABCA. Bottles, cans, and sealed growlers/crowlers are legal for delivery from brewpubs, restaurants and bars, but must be accompanied by food. Breweries may deliver their sealed product without accompanying food. Wineries and cideries may also deliver their sealed product without food.

Deliveries are only permissible within West Virginia, and licensees must verify the ages of any delivery recipients. Licensees are also encouraged to practice appropriate distancing, including “contact-less payment and home delivery” whenever possible. The order also contains the following restrictions:

1. Unlicensed third-parties (Uber eats, Grubhub, etc.) cannot deliver beer or wine;
2. No cups or similar containers are permitted;
3. Home delivery of liquor bottles or mixed drinks is not permissible; and
4. Distilleries and mini-distillers are not permitted to deliver products.

Deliveries are currently only permitted through the duration of the state of emergency, though the ABCA will undoubtedly be encouraged to continue allowing deliveries once the COVID-19 emergency ceases. In the meantime, the order issued yesterday is meant to support small craft beverage businesses while further discouraging patrons from standing in lines at growler fill stations, breweries, wine shops, etc.

### PEOPLE

Caleb P. Knight

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