

701—1000.21(123) Filling and selling of wine and native wine in a container other than the original container. Class “B,” class “C,” special class “C,” and class “E” retail alcohol licensees; special class “B” and special class “C” retail native wine licensees; and a licensee’s employees may fill, refill, and sell wine or native wine in a container other than the original container, otherwise known as a growler, subject to Iowa Code sections 123.30, 123.31A, and 123.31B and this rule.

1000.21(1) Definitions.

“*Growler*,” for the purposes of this rule, means any fillable and sealable glass, ceramic, plastic, aluminum, or stainless steel container designed to hold wine or native wine.

“*Native wine*,” for the purposes of this rule, means the same as defined in Iowa Code section 123.3(36).

“*Original container*,” for the purposes of this rule, means a vessel containing wine or native wine that has been lawfully obtained and has been securely capped, sealed, or corked at the location of manufacture.

“*Wine*,” for the purposes of this rule, means the same as defined in Iowa Code section 123.3(53).

1000.21(2) Filling and refilling conditions.

a. A growler may be filled or refilled only with wine or native wine from the original container purchased from a class “A” wine permittee.

b. Special class “B” and special class “C” retail native wine licensees may fill a growler only with native wine.

c. A retailer may exchange a growler to be filled or refilled.

d. The filling or refilling of a growler must be conducted in compliance with applicable state and federal food safety statutes and regulations at all times.

1000.21(3) Sealing conditions. A filled or refilled growler must be securely sealed at the time of the sale by the licensee or the licensee’s employees in the following manner:

a. A growler must bear a cap, lid, stopper, or plug.

b. A plastic heat shrink wrap band, strip, or sleeve must extend around the cap or lid or over the stopper or plug to form a seal that must be broken upon the opening of the growler. A lid permanently affixed with a can seamer does not need a plastic heat shrink wrap band, strip, or sleeve.

c. The heat shrink wrap seal must be so secure that it is visibly apparent when the seal on a growler has been tampered with or a sealed growler has otherwise been reopened.

1000.21(4) Additional conditions.

a. A growler filled pursuant to this rule is not allowed to be delivered or direct-shipped to a consumer.

b. A growler filled pursuant to this rule is not allowed to be sold or otherwise distributed to a retailer.

c. A licensee or a licensee’s employees must not allow a consumer to fill or refill a growler.

d. The filling, refilling, and selling of a growler is limited to the hours in which alcoholic beverages may be legally sold.

e. A filled or refilled growler must not be sold to any consumer who is under legal age, intoxicated, or simulating intoxication.

f. An original container may only be opened on the premises of a class “B” or class “E” retail alcohol licensee for the limited purposes of filling or refilling a growler as provided in this rule, or for a tasting in accordance with rule 701—1003.6(123).

1000.21(5) Violations. Failure to follow this rule subjects the licensee to the penalty provisions provided in Iowa Code chapter 123.

This rule is intended to implement Iowa Code sections 123.30, 123.31A, and 123.31B.

[ARC 9085C, IAB 4/2/25, effective 5/7/25]