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Dining with wine? Any leftover beverage can go home Permission comes with stipulations

By Lisa Wangsness, Globe Staff | March 3, 2006

Wine lovers in Massachusetts finally have their own doggie bags.

Massachusetts diners can now take home bottles of wine they don't finish in restaurants.

The Legislature made it legal two weeks ago, but the state Alcoholic Beverages Control Commission yesterday uncorked temporary rules for restaurants and hotels to follow.

Many restaurateurs have toasted the new law, believing it will encourage patrons to order more wine while discouraging them from driving home drunk.

The rules are elaborate.

Each opened wine bottle must be placed in a special clear, sealable bag, so police can monitor people for drinking en route home. A receipt must be affixed to the bottle, along with proof that the patron had purchased a meal.

For a single diner, a "meal" means an entree, not just a salad. A couple must order "a diversified selection of food" that costs at least \$20. "Tableware" must be involved. Food that can "comfortably be consumed while standing" doesn't count.

Some said the rules may be overly restrictive.

Peter Christie, president and CEO of the Massachusetts Restaurant Association, said that theoretically, the rules apparently would deny the doggie bag to a customer who has just devoured a 3-foot grinder.

"You could drink a gallon of wine and it would be absorbed by that thing," he said.

Christie praised the ABCC for churning out new rules so quickly, but said the law will probably have to be tweaked before permanent rules are issued. The ABCC will hold a public hearing within 60 days to solicit suggestions for changes.

In the meantime, Christie sent a letter to his members explaining the law. At least one wine doggie bag provider was ecstatic. Bob Beck, owner of the California-based winedoggybag.com, which is the exclusive WDB supplier in a number of "merlot-to-go" states, said he hopes "the floodgates will open" when Massachusetts wakes up to the new rules. "Restaurants will know they need this or else they're in violation of the law, and patrons will start realizing they can ask for it," he said.

Ralph Ranalli contributed to this report.

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