



Law allows diners to take home wine from restaurants

EMILY WAGSTER PETTUS • THE ASSOCIATED PRESS • JULY 1, 2009

A couple goes out for a special meal to celebrate their wedding anniversary. They indulge in an expensive bottle of wine, but they really only want one glass each.

Until now, restaurateur Nick Apostle has had the awkward duty of telling them they couldn't take home the unfinished bottle.

"They'd look at me and say, 'I paid money for this,' " said Apostle, owner of Nick's restaurant in Jackson. "I'd say, 'I understand.' "

Then, he'd patiently explain that under Mississippi law, any wine bought in a restaurant had to be consumed there.

Starting today, that will change. A new state law will allow a customer to take home an unfinished bottle of wine after a restaurant employee reseals the bottle and puts it into a tamper-resistant bag, taped shut at the top, with the meal receipt.

The wine-to-go provision is one of several new Mississippi laws that take effect July 1.

Proposals to change Mississippi liquor laws typically meet solid resistance from Mothers Against Drunk Driving and from religious groups. Lawmakers said that didn't happen this year.

Frank Harris, a Washington, D.C.-based state policy specialist with MADD, said the group's main legislative focus in Mississippi was to seek mandatory ignition interlock devices for people with drunken-driving convictions - an effort that was unsuccessful this year. The breath-test device prevents a vehicle from starting if a driver's blood-alcohol content is above the 0.08 percent legal limit.

Harris said MADD officials hope people who take resealed bottles of wine from restaurants will not open the bottles and drink in vehicles.

"MADD is not against the responsible consumption of alcohol for people over the age of 21," he said. "We're just working to end drunk driving and stop illegal underage drinking."

The new wine-to-go provision is part of House Bill 1434, which includes several other changes in Mississippi liquor regulations.

For example, the new law allows the sale of alcohol at spas, art galleries and cooking schools. It also allows retail establishments to get one-day permits so they can give away wine at open houses or for promotional events. And, it allows nonprofit groups to sell wine at fund-raising events such as silent auctions.

The law also allows alcohol to be restocked on commercial or private airplanes, for passengers to consume. Rep. Bobby Moak, D-Bogue Chitto, said until now, commercial flights to and from Mississippi airports had to be stocked with liquor in other cities. He said Mississippi was losing potential tax revenue, and catering companies that provide food for airlines were losing the chance to make money by restocking planes with tiny liquor bottles.

The final version of the liquor bill passed the Senate, 40-8, on March 10 and the House, 72-46, on March 20. Gov. Haley Barbour signed it March 30.

The Mississippi Restaurant Association has been lobbying for years for a wine-to-go law, seeing it as a chance to increase the sale of upscale wines. Generally, the more expensive wines are not sold by the glass.

Moak said allowing a "doggy bag" for wine could reduce incidents of drunken driving because people won't feel the need to guzzle the wine or abandon it at the restaurant. "We don't want them to sit there at the table and consume it if they don't want to," Moak said. "You'd a lot rather have people (take the wine) than drive home intoxicated."