DIVISION OF ALCOHOL AND TOBACCO CONTROL

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Governor

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INDUSTRY CIRCULAR

Emergency Waiver – Retailer-Packaged Alcohol

Issued April 14, 2020

The Division has received approval from the Governor's Office to proceed with an emergency waiver to temporarily suspend the portion of the definition of "original package" in 11 CSR 70-2.010(5) that requires utilizing the manufacturer's original container, to the extent necessary to allow retailer-packaged alcoholic beverages under the following conditions:

1. The alcohol container must be durable, leak-proof, and sealable, and meet the minimum size requirements outlined in 11 CSR 70-2.010(5);

2. The patron must have ordered and purchased a meal simultaneous with the liquor purchase;

3. The licensee must provide the patron with a dated receipt for the alcohol beverage(s); and

4. The sealed alcohol container must either be:

    a. Placed in a one-time-use, tamperproof, transparent bag which must be securely sealed; or
    b. The container opening must be sealed with tamperproof tape;

The change does not allow liquor licensees to sell mixed drinks in 'to-go' plastic or Styrofoam cups with straws or loose covers.

This suspended definition will expire at the end of the Governor's emergency declaration, which is May 15, 2020.

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