

DIVISION OF ALCOHOL AND TOBACCO CONTROL

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INDUSTRY CIRCULAR

Emergency Waiver – Retailer-Packaged Alcohol

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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 March 31, 2021.

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