

11 CSR 70-2.250 Salvaged Alcoholic Beverages

PURPOSE: This rule establishes licensing and procedure for disposal of salvaged alcoholic beverages.

(1) Intoxicating liquors which are damaged in this state as a result of flood, wreck, fire, or similar occurrence may be sold for salvage.

(2) Intoxicating liquors so salvaged may be sold to a Missouri licensee, upon the approval of the supervisor under the following terms and conditions:

(A) Application shall be made to the supervisor for authority to sell distressed merchandise in Missouri including the name of the person desiring to sell the merchandise, the nature of the damage, a description of the merchandise, and whether the contemplated sale is to be to a Missouri licensee;

(B) The distressed merchandise is to be examined at the scene of the occurrence, as soon as practicable, by a representative of the Department of Health and Senior Services and the sale is not to be approved by the supervisor until notified by the representative that the merchandise is fit for human consumption;

(C) Written approval and release for the sale of distressed merchandise cannot be issued until an inspection of the distressed merchandise is made by an agent of the Division of Alcohol and Tobacco Control who will determine whether the merchandise is within the meaning of this regulation and that all Missouri taxes have been paid; and

(D) No merchandise may be sold under this regulation where the original packages have been so damaged so as to render the label on the package not within the requirements under 11 CSR 70-2.060(1).

(3) Intoxicating liquors so salvaged are referred to as distressed merchandise.

(A) Each container of intoxicating liquors sold pursuant to this regulation shall bear a label, to be provided by the Division of Alcohol and Tobacco Control, certifying the merchandise as distressed merchandise.

(B) No distressed merchandise salvaged outside of the state may be imported into Missouri for sale pursuant to this regulation.

AUTHORITY: section 311.660, RSMo 2016. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. Amended: Filed Oct. 10, 2018, effective May 30, 2019.*

**Original authority: 311.660, RSMo 1939, amended 1989.*