



## ABC Board Adoption of Emergency Regulations Regarding Alcohol Pickup and Delivery

Our President & CEO, Sarah Oates, worked directly with Governor Dunleavy and his team to implement the temporary relaxation of specific alcohol laws (currently effective through 11:59pm on May 11, 2020), in the interests of helping the hospitality industry during dire times, and in preserving public health by providing for increased social distancing options. His press release can be found [here](#), and the specific language can be found on pages 12-13 of [this document](#).

Today, the Alcoholic Beverage Control (ABC) Board held an emergency meeting and adopted emergency regulations that outline processes, procedures, requirements, and restrictions pertaining to the curbside pickup and home delivery of alcohol on a short-term, temporary basis during this crisis. Some important points in the adopted regulations include:

**Bona fide restaurant or eating places (including those who hold beverage dispensary licenses and other qualified license types that possess restaurant designation permits) may deliver beer/wine/cider to a person's home with an order of food from that restaurant, **only if:****

- The qualifying licensee provides written notification to the Alcohol & Marijuana Control Office that it intends to deliver alcohol before conducting such activities
- The value of the alcohol purchased in the delivery is not more than twice the value of the food (eg: if \$25 of food is purchased, the value of the alcohol in that order must not exceed \$50)
  - The beer/wine/cider offered for sale is factory sealed in manufacturer-sealed bottles or cans, or in growlers (beer and cider only) that are sealed by the licensee with tamper-evident tape and adequate labeling that meets TTB standards
- The licensee, agent, or employee who delivers the alcohol must have a valid TAP card; third-party delivery companies (DoorDash, GrubHub, UberEats, etc.) are prohibited from delivering alcohol
- The licensee, agent, or employee who delivers the alcohol must check the ID of every purchaser, regardless of age, and must not knowingly deliver alcohol to a drunken person, an underage person, or a person who is legally prohibited from purchasing alcohol

**Beverage dispensaries, restaurant or eating places, package stores, breweries, brewpubs, wineries/cideries, and distilleries may conduct curbside pickup of the types of alcohol normally allowed for sale by the respective license type, **only if:****

- The qualifying licensee provides written notification to the Alcohol & Marijuana Control Office that it intends to allow for curbside pickup of alcohol before conducting such activities
- The curbside pickup location must be within 50 of an entry to the licensee's business premises
- The alcohol offered for sale is factory sealed in manufacturer-sealed bottles or cans, or in growlers (limited to beer and cider only) that are sealed by the licensee with tamper-evident tape and adequate labeling that meets TTB standards; mixed drinks are prohibited

- The licensee, agent, or employee who provides the alcohol to the customer must have a valid TAP card
- The licensee, agent, or employee who provides the alcohol must check the ID of every purchaser, regardless of age, and must not knowingly provide alcohol to a drunken person, an underage person, or a person who is legally prohibited from purchasing alcohol

As a reminder: while the Governor's order was effective as of yesterday, **Alaska CHARR highly recommends that all applicable licensees wait until receiving official written notice from the ABC Board before beginning any activities contemplated in the disaster order and the emergency regulations.**

### **Important Notes:**

The emergency regulations will not go into effect until signed and recorded by the Lieutenant Governor, which date is yet to be determined.

**Alaska CHARR highly recommends that any businesses who choose to allow customers to bring their own growlers for beer/cider fills should thoroughly sanitize the container and any surfaces that it comes into contact with, in order to protect public health and help prevent the spread of COVID-19.**

### **Bi-weekly Industry Call:**

We will be hosting another industry call tomorrow, **Thursday, April 16 at 1:00pm** with industry attorneys from Holland & Knight, Jessica Brown – an expert in Alaska alcohol law – and Christopher Slottee – an expert at Small Business Administration (SBA) programs. They will be covering and available to answer questions regarding:

- Payroll Protection Program (PPP)
- Economic Injury Disaster Loan (EIDL)

- Paid sick leave requirements
- The current status of to-go curbside alcohol sales in Alaska
- The current status of home delivery of alcohol in Alaska

If you need immediate assistance with filing for SBA loans – including PPP or EIDL – please email [christopher.slottee@hklaw.com](mailto:christopher.slottee@hklaw.com).

With all of the recent seclusion, we miss you!

**Please join us with your smiling faces for our Zoom video call this Thursday at 1:00pm by using the following link:**

<https://zoom.us/j/91772400884?pwd=bysveTlXbjZ5UkNKTnd2THYxSIE5UT09>

Meeting ID: 917 7240 0884

**Password: CHARR**

**Or via one tap mobile:**

+14086380968,,91772400884#,,#,187350#

**You may also dial in by phone at:**

1-408-638-0968

Meeting ID: 917 7240 0884

**Password: 187350**

### **COVID-19 Safety Procedures for ID Checking for Alcohol Curbside Pickup and Delivery**

Due to large demand, Alaska CHARR has put together the following recommendations to meet the requirements set forth in emergency regulations regarding ID checking and verification, and to protect public health and safety by preventing the spread of COVID-19.

Please note that these are strictly recommendations and are in addition to standard ID checking requirements, but social/physical

distancing, frequent sanitation, and PPE should be used whenever possible, and ID checking is **mandatory for all alcohol curbside pickup and delivery sales.**

- The licensee or employee who is checking the ID should wear a mask and fresh pair of gloves, whenever possible, with each customer interaction
- When the licensee or employee receives the customer's ID, she/he should step back 6-10 feet before asking the customer to remove or lower a mask/covering
- The customer should be asked to return the mask/covering to her/his face before the licensee or employee returns the ID and potentially hands the customer the alcohol and/or food
- The licensee or employee should immediately dispose of the gloves before touching any other surfaces and regularly sanitize any regularly-used surfaces (door handles, etc.)

### **Tele-Town Hall with Senator Murkowski, Senator Sullivan, & SBA Leaders**

We wanted to share the following information with you about a special Tele-Town hall Senator Dan Sullivan and Senator Lisa Murkowski are hosting tomorrow with senior representatives from the Small Business Administration (**SBA**) - Regional Administrator Jeremy Field, SBA Alaska District Office Director Nancy Porzio, and SBA Public Information Officer Kevin Wynne - all of whom will be available to answer small business-focused questions..

The event will take place **tomorrow evening, April 16**, from **5:00-6:00pm (AKDT)** for another productive discussion. [Click](#) to register!

### **Economic Impact Surveys**

This is your friendly reminder that the more data that our industry organizations are able to collect, the better we can advocate for the resources that you need most.

The National Restaurant Association is asking restaurants across the entire state of Alaska to fill out their survey [here](#).

The Anchorage Economic Recovery Task Force is asking for all businesses in the Anchorage area to fill out their survey [here](#).

The Alaska CHARR team continues to work around the clock, at your service to [#saveAKhospitality](#)!

*\*\*Disclaimer: Please note that none of the enclosed information is intended to be presented or considered as legal advice, but only as recommendations by Alaska CHARR for safe practices for a responsible industry.*

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