

Alcohol Sales Under the COVID-19 Executive Orders

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Issue

Summarize how the recent COVID-19 executive orders establish conditions for or restrictions on alcohol sales.

Summary

Since [declaring](#) public health and civil preparedness emergencies on March 10, 2020, Governor Lamont has issued a series of executive orders in response to the COVID-19 pandemic. With respect to alcohol, these executive orders (1) establish conditions for or restrictions on sales, (2) allow additional permittees to sell and deliver alcohol directly to consumers, (3) allow permittees that generally sell alcohol for on-premises consumption to sell for off-premises consumption, and (4) require or authorize the Department of Consumer Protection (DCP) to issue implementation orders or guidance to effectuate their purposes (e.g., rules for pick-up and delivery).

Generally, under the COVID-19 executive orders, alcohol may be sold only for off-premises consumption. The executive orders deem package store, grocery store, and manufacturing permittees as essential businesses and thus allow them to remain open for in-person sales and to deliver alcohol directly to consumers under certain conditions. Additionally, the orders allow certain permittees that normally serve alcohol for on-premises consumption (e.g., restaurants) to sell alcohol for pick-up or delivery with food orders.

Concerning hotels specifically, a DCP order allows these permittees to provide alcoholic liquor to guests and visitors through room service and at convenience centers. They must do so consistent

with the rules for their permit and other executive orders ([DCP Implementation Order](#); Mar. 19, 2020).

Rules for Pick-up and Delivery

According to a DCP implementation order, all permittees that are allowed to offer pick-up and delivery must do so under certain rules and procedures. These include:

1. the deliverer of alcohol is at least age 18 and the permittee employs them as an employee and
2. the receiver of the alcohol is of legal drinking age, not intoxicated, and presents a valid driver's license or state identification card if his or her age is in doubt.

If the receiver's age is in doubt, the sale and delivery must be declined. The use of age statement forms is not allowed ([DCP Implementation Order](#), April 2, 2020).

Additionally, unless otherwise noted, the hours for pick-up and sales are the same as those for a package store. By law, package stores may generally sell and dispense alcohol on Sundays from 10:00 a.m. to 6:00 p.m. and any other day from 8:00 a.m. to 10:00 p.m. ([CGS § 30-91\(d\)](#)).

Signature Requirements Waived

State law allows certain permittees (e.g., farm wineries) to deliver directly to consumers provided certain conditions are met, including obtaining a signature. But by executive order, the governor waived these requirements. Instead, permittees must maintain a log of the products they deliver to each consumer address and note the product's brand name, size, price; number of bottles ([EO 7W](#), § 5, April 5, 2020; [DCP Implementation Order](#), April 9, 2020).

Package Store and Grocery Store Beer Permittees

Under a COVID-19 executive order and [Department of Economic and Community Development Guidance](#), package store and grocery store beer permittees are considered essential businesses. This means they may remain open for business during the public health and civil preparedness emergencies ([EO 7H](#), § 1, Mar. 20, 2020).

Additionally, as allowed under their permits and existing law, package store and grocery store beer permittees may deliver alcohol to customers. Under an executive order and DCP implementation order, these permittees must verify that the individual receiving the delivery is legally authorized to receive the alcohol. Specifically, they must verify that the consumer is not intoxicated and has

sufficient identification to show he or she is at least age 21 ([DCP Implementation Order](#), April 9, 2020).

Another implementation order allows package store and grocery store beer permittees to offer curbside pick-up of alcohol in any space adjacent to their premises under the same rules for pick-up and delivery that apply to other permittees (see above) ([DCP Implementation Order](#), Mar. 31, 2020).

Restaurant, Tavern, and Cafe Permittees

Several executive orders limit restaurant, tavern, and cafe permittees, until May 20, 2020, to selling alcohol with food pick-up or delivery orders, under certain conditions ([EO 7X](#), § 3a, April 10, 2020; [EO 7I](#), § 2, April 2, 2020; [EO 7G](#), § 3, Mar. 19, 2020; [EO 7D](#), § 2, Mar. 16, 2020).

Under the accompanying DCP implementation order, permittees may only sell sealed containers of alcoholic liquor that they are authorized to sell for on-premises consumption and consistent with their permit type (e.g., a restaurant permit for beer may sell only beer) ([DCP Implementation Order](#), Mar. 19, 2020). As discussed above, the alcohol sale must be part of a take-out order that includes food prepared on the premises.

The implementation order only allows permittee locations to be open for customers to order, pick-up food and nonalcoholic beverages, and sealed alcohol containers as received by the wholesaler. If there is no municipal ordinance to the contrary, the permittee may allow curbside pick-up adjacent to the permit premises.

The hours these permittees may sell alcohol as part of their food orders is the same as a package store (see above).

Manufacturing Permittees

Several executive orders authorize manufacturer permittees to sell from their permit premises, or deliver, sealed bottles of alcoholic liquor that they produce for off-premises consumption in a manner consistent with their permit ([EO 7H](#), § 1, Mar. 20, 2020, [EO 7I](#), § 2, April 2, 2020, and [EO 7G](#), § 3a, Mar. 19, 2020). A related DCP implementation order sets rules for hours of operation and daily sales to individuals. (The limits on daily sales to individuals are the same as the limits under existing law.) Under the order, permittees, other than farm winery permittees, may sell only during the hours that package stores are authorized sell (see above) ([DCP Implementation Order](#); Mar. 19, 2020).

Manufacturer Permit

The DCP implementation order allows manufacturer permittees that produce less than 25,000 gallons of alcoholic liquor in a calendar year to sell up to 1.5 liters of their alcoholic liquor per day to an individual for off-premises consumption. The alcohol must be sold in sealed bottles or containers and manufactured on the premises.

Manufacturer Permits for Beer, Brew Pubs, Beer and Brew Pubs, and Farm Breweries

DCP's order allows various beer manufacturing permittees to remain open to conduct sales for off-premises consumption. Thus, they may sell up to nine gallons of beer per day to an individual for off-premises consumption. The beer must be brewed on the premises and sold in sealed bottles or containers

As applicable, the order prohibits permittees from offering tastings or on-premises alcohol consumption.

Manufacturer Permit for Farm Winery

The DCP order allows farm winery permittees to remain open to sell certain wine and brandy in sealed bottles or other sealed containers for off-premises consumption. These sales are allowed on Sundays from 10:00 a.m. to 10:00 p.m. and any other day from 8:00 a.m. to 10:00 p.m.

Permittees may sell the following products at retail: (1) wine or brandy they manufacture, (2) wine manufactured by another Connecticut farm winery, or (3) brandy manufactured from fruit harvested in the state and distilled off the premises.

Manufacturer Permit for Farm Distillery

DCP's order allows farm distillery permittees to remain open to sell up to 4.5 liters of distilled alcohol per day to an individual. The alcohol must be in sealed bottles or other sealed containers and sold for off-premises consumption. Permittees are prohibited from allowing on-premises consumption.

Manufacturer Permit for Cider and Apple Brandy and Eau-de-vie

Although DCP's order does not specify what cider manufacturers may sell, it prohibits them from conducting on-premises tastings or sales. However, an executive order allows cider manufacturers and apple brandy and eau-de-vie manufacturers to remain open for pick-up or delivery of alcoholic

liquor as allowed under their permits and consistent with prior executive orders ([EO 7I](#), § 2, Apr. 2020).

By law, (1) cider manufacturers may sell and ship cider and apple wines they produce in a manner and with the same conditions as a farm winery ([CGS § 30-16\(c\)](#) as amended by [PA 19-24](#), § 4) and (2) manufacturer permittees for apple brandy and eau-de-vie are in all respects the same as a manufacturer permittee, except that they are limited to producing apple brandy and eau-de-vie ([CGS § 30-16\(d\)](#)).

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