

Restrictions for Licensees in Response to COVID-19 Outbreak

New York State Liquor Authority

Restrictions for Licensees in Response to COVID-19 Outbreak

Effective Monday, March 16, 2020 at 8:00PM until Further Notice

Pursuant to the Governor's order, effective Monday, March 16, 2020 at 8:00PM, all licensed on-premises establishments (e.g. restaurants, bars, taverns, clubs, arenas, catering establishments, etc.) must cease on-premises sales of alcoholic beverages and/or food. Additionally, all licensed manufacturers with on-premises privileges must also cease on-premises sales of alcoholic beverages and/or food; however, a licensed manufacturer may continue all manufacturing operations. This restriction shall continue until April 15, 2020 but may be extended or reduced depending upon the circumstances.

To aid in prevention of the spread of the coronavirus and assist businesses impacted by the current state of emergency, the Governor has ordered the State Liquor Authority (SLA) to promulgate guidance on new off-premises privileges for licensed businesses with on-premises privileges.

The State Liquor Authority offers the following guidance:

- Any on-premises licensee and any manufacturing licensee with on-premises retail privileges may sell for off-premises consumption any alcoholic beverages that it is able to sell for on premises consumption under the law.
- For example, a tavern wine licensee may sell beer, wine, cider, mead, and wine product, but not liquor, and a farm winery may sell any New York State

labeled wine, beer, cider, mead, or liquor, but not non-New York State products unless it has an on-premises license as well.

- Alcoholic beverage sold for off-premises consumption pursuant to this guidance may be sold in any closed and sealed original container of any size. Provided that:
 - The sale of each container shall be accompanied by the purchase of food;
 - Sales should be consistent with municipal open container ordinances.
- Alcoholic beverages sold for off-premises consumption pursuant to this guidance may be sold for takeout from the licensed premises or may be delivered to the customer's residence.
 - Deliveries shall be made in a vehicle permitted by the Authority (e.g., a third-party delivery service), or a vehicle-owned and -operated, or hired and operated by the licensee or its employee. A copy of the permit or license must be present in the vehicle.
- Alcoholic beverages sold for off-premises consumption pursuant to this guidance may only be sold during the on-premises hours of operation of the county in which the premises is located or, if different, the hours of operation set forth in the licensee's method of operation with the Authority.

Any licensed business found to be operating in violation of the Governor's order restricting on-premises sales of alcoholic beverages shall face a monetary penalty (retail maximum of \$10,000/manufacturer maximum of \$100,000), and/or suspension, cancellation, or revocation of its license.