

# DIVISION OF ALCOHOL AND TOBACCO CONTROL

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## INDUSTRY CIRCULAR

### **ATC's Response to COVID-19**

Issued March 19, 2020

Recently the Division has received an increasing number of questions about how ATC plans to adjust to the concerns of COVID-19, and what exceptions and extensions will be made for liquor licensees. ATC has reviewed these areas, and at this time, the Division's position is as follows:

- **Curbside Pickup/Delivery Options for Retail Licensees** – ATC would like to remind all retail-by-drink licensees that they are allowed to sell intoxicating liquor in the original package under Section [311.200.5](#). This would allow these establishments to adhere to the social distancing recommendations by giving them the option to provide carryout and/or curbside pickup services. Keep in mind that if a curbside pickup option is provided, licensees must adhere to the [delivery guidelines](#). Only original package products may be sold for off-premise consumption. This does not include mixed drinks poured and repackaged by the retailer. Payment for all transactions for carryout, pickup, or otherwise, must occur on the licensed premises. Please be sure to check with your local city or county to make sure there are no local ordinances or requirements that would prevent you from doing the above.
- **Alcohol Returns** – On March 13, 2020, the Alcohol and Tobacco Tax and Trade Bureau (TTB) announced they would allow return of products purchased from a manufacturer/wholesaler for temporary events that were cancelled due to concerns about COVID-19. ATC is mirroring TTB's stance in that we will not consider returns due to licensed events being cancelled for COVID-19 concerns to be a violation. These temporary events would include caterers events, picnic license events, and festival events. This exception does not allow retail-by-the-drink or original package licensees to return their product that would be sold in the normal course of business. We are also reminding manufacturers/wholesalers that they are not required to accept returns of such products.

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- **License Renewals** – As you all know, the license renewal season began March 16. Some licensees have contacted ATC regarding challenges in connection with the COVID-19 outbreak. ATC is reviewing information provided by the licensees to determine what, if any, options exist to address their challenges.
- **Reporting and Excise Tax** – Given the convenience of our online system, ATC will not provide extensions for monthly reporting requirements nor extensions or waivers for excise tax payments, at this time. We will continue to review the affects of COVID-19 on businesses and may consider changes in the future.

ATC is posting this notice to respond to the concerns we have been receiving regarding the effects of COVID-19. All future changes will be communicated by updating this circular once those decisions are made. If you have questions, please contact the [Division](#) for clarification.