



## Cocktails to-go by Thanksgiving

Oregonians,

Since the beginning of the COVID-19 Pandemic, Governors, Senators, Congressmen & Congresswomen of 33 states chose to prioritize the survival of local restaurants and bars by authorizing the sales of cocktails to-go. To the surprise and befuddlement of business owners and industry workers of Oregon, our progressive state continues to avoid the necessary legislative work that is required for cocktails to-go to pass. This inaction not only further burdens Oregon's struggling business owners, but it also leaves many of them with only a single option, put people back on unemployment, close down again, and wait for the stable and predictable patio season.

My fellow business owners and I have continuously stressed the critical nature of cocktails to-go to our state representatives, imploring that our industry needs lifelines like this to help ensure our long-term survival. We made the phone calls, we submitted the petitions, and we waited through special session after special session for our opportunity to speak about the benefits of cocktails to-go, but that opportunity never came. Our agenda, the potential linchpin to our survival, was deprioritized, pushed aside, and passed over in hope that our voices would wane and then disappear.

While sad, the deprioritizing of our agenda has indeed caused our voices to wane and disappear. This is not due to a lack of willingness to fight for what we know is right; rather it is because we cannot even generate enough revenue to breakeven and are forced to close our doors. Some of us are closing for what we hope is just the wintertime. Many others are closing their doors for good.

It has taken a lot of creative thinking, hard work, and determination for businesses to survive this far into the pandemic. But our already flooded ships cannot take on any more water from the final waves in the perfect storm of 2020. We need our lifeline; we need cocktails to-go. Therefore, on the day before Thanksgiving, November 25, we will begin a civil disobedience protest of our state's constitution by selling our cocktails to-go. We hope that the state shows equal compassion and understanding for our business' position and necessary civil disobedience while they continue to work on the long-term solutions for our industry.



Our protest, and hopefully the eventual long-term solution, will adhere to the following Off-Premises Consumption rules:

1. Businesses must have a Full On-Premises license.
2. Businesses shall be subject to the same Alcohol Server Education, ID Check, & Over Consumption requirements for off-premises and on-premises consumption sales.
3. Cocktails must be a combination of two or more ingredients. A single liquor, liqueur, or distilled spirit is not considered a cocktail and therefore does not qualify to be sold as a cocktail to-go.
4. Cocktails may be sold in a single ready-to-drink (RTD) container, or as a bundled cocktail kit.
5. All RTD containers & cocktail kit containers shall be sealed in tamper-evident packaging, and adequately display both a Statement of Identity & Net Quantity Statement.
6. Businesses may sell cocktails to other businesses, so long as all the liquors, liqueurs, and/or distilled spirits included in the cocktail were purchased through the state run OLCC Liquor Stores, and both businesses have a Full On-Premises license.
7. Businesses shall be allowed to deliver cocktails to the curb and to a home (or business) with a permanent street address.
8. Businesses may accept payment for cocktails through a website or mobile application and businesses may deliver cocktails themselves or through an Approved-for-hire carrier.

In normal times, we business owners have a multitude of rotating priorities that all compete for top position daily. Ironically, the COVID-19 Pandemic has simplified our business priorities down to a single word, survival. Our protest is not about increasing our top line revenue, driving more dollars to the bottom line, or expanding our market share. It is simply about doing what 70% of the country is already doing to help struggling businesses survive.

Thank you for your time, understanding, and support,

**Matt Davidson**

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## Sales & Delivery Rules by Business Type

Business Type	License Types	Off Premise Consumption Sales Allowed						Beer, Wine, & Cider		Liquor & Cocktails		Already Selling Liquor, Cocktails, & Cocktail Kits To-Go
		Beer	Wine	Cider	Liquor (Bottles)	Cocktail Kits	Cocktails	Pickup	Home Delivery	Pickup	Home Delivery	
Liquor Stores	OLCC Liquor Store Operator	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes
Distilleries	Distillery License & Tasting Licenses	No	No	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Restaurants & Bars	Full, Limited, & Off Premise Sales Licenses	Yes	Yes	Yes	No	No	No	Yes	Yes	No	No	No

1. Both OLCC run Liquor Stores and Distilleries already can sell Ready-To-Drink (RTD) Cocktails and Cocktail kits for off premise consumption.
2. Distilleries already can deliver their Liquor, RTD Cocktails, & Cocktails Kits to a home or business address.
3. OLCC: Commission Meeting – Friday September 11, 2020
  - a. Allow approved-for-hire carriers (including common carriers and on-demand food and beverage carriers) to deliver factory-sealed containers of distilled spirits to consumers on behalf of those agents in the state of Oregon who are authorized to deliver packaged spirits to consumers.
  - b. Designate the operations manuals for liquor store agents and distillery agents as the source for requirements and permissions related to deliveries of packaged distilled spirits to consumers.
  - c. Currently, the operations manual for liquor store agents allows the liquor store agents to do ONLY curbside deliveries of distilled spirits with an in-person payment. The operations manual for distillery agents allows distillery agents to deliver distilled spirits to the curb and to a home (or business) with a permanent street address. Distilleries may accept payment for distilled spirits through a website or mobile application and distilleries may deliver distilled spirits themselves or through an approved for hire carrier.