



December 17, 2020

Hon. Peter Courtney, Co-Chair
Hon. Tina Kotek, Co-Chair
Oregon Joint Committee on the Third Special Session
900 Court St, NE Room 453
Salem, OR 97301

Dear Senator Courtney and House Member Kotek:

This testimony is submitted on behalf of the Distilled Spirits Council of the United States, a national trade association representing producers and marketers of distilled spirits and importers of wines sold in the United States in support of LC 10- relating to on premise sales license to sell and deliver mixed drinks sealed in containers for off-premise consumption, commonly known as cocktails to go. As you know, this proposed legislation would allow certain beverage alcohol licensees to sell approved mixed drinks with a food purchase during the declared state of emergency and will sunset 60 days after the state of emergency is no longer in effect. Under the legislation, mixed drinks must be in sealed containers, appropriately labeled and may be delivered by a third party delivery service.

The restaurant and hospitality industry, which represents thousands of jobs in Oregon, all has been one of the hardest hit during the COVID-19 pandemic. According to the National Restaurant Association, closures and reduced capacity restrictions have caused a nearly 80% reduction in restaurant sales and an 86% reduction in jobs across the country. The temporary approval of cocktails-to-go has provided a meaningful source of revenue to the many struggling hospitality businesses across the state of Oregon.

Currently, more than 30 states plus the District of Columbia are allowing restaurants and/or bars to sell cocktails to-go. Iowa became the first state to make the cocktails-to-go measure permanent in June and the State of Michigan has approved an extension until December 31, 2025. In addition, Colorado, New Jersey, Massachusetts, Delaware and Kansas have all legislatively approved extensions of the cocktails-to-go privileges, while other states, including New York, Texas, Florida, Ohio, Oklahoma, and the District of Columbia, are considering making their policies permanent or adopting long-term extensions.

From the standpoint of responsibility, the Distilled Spirits Council is committed to responsible consumption and encourages moderation for adults who choose to drink alcohol. As the legislation and regulatory guidance makes clear, cocktails to-go are intended for home consumption and all laws governing alcohol consumption and the prohibitions on drinking while driving must always be observed.

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The future of the hospitality industry will be dependent upon many factors out of the control of licensees, e.g. restricted capacity measures, the uncertainty of customer comfort levels to return to eating and drinking establishments or even weather. We urge the Committee to support the adoption of “cocktails to go” as contained in Section 2 as added by LC 10 to ORS chapter 471.

We appreciate your consideration of our views regarding LC 10. Should you have any questions, please don't hesitate to contact me by telephone at 916-833-5112, by email at adam.smith@distilledspirits.org or our Oregon counsel Paul Cosgrove.

Sincerely,

P. Adam Smith
Vice President – Government Relations