



OLCC COVID-19 Generally Applicable
Alcohol FAQs (2/5/21)

USING THIS DOCUMENT

This document provides information about OLCC’s COVID-19 modifications that apply regardless of the county’s [Risk Level](#). This document will be updated regularly as policies change and new information or clarification is needed, ***so check back for updates regularly.***

For more information about allowable activities and operations related to a liquor license that are specific to a county’s Risk Level, see:

[Alcohol FAQs – For licensees in Extreme Risk counties](#)

[Alcohol FAQs – For licensees in High Risk counties](#)

[Alcohol FAQs – For licensees in Moderate Risk counties](#)

[Alcohol FAQs – For licensees in Lower Risk counties](#)

The document contains questions and answers fitting under the following broad categories. ***Click on the category to jump to that section of the document.*** Topics covered under each of the broad categories are listed at a high-level. Using a word-search function will also allow you to find information quickly:

CATEGORIES & TOPICS

- [Off-Premises Sales of Alcohol](#)
 - Products that may be sold “to-go”
 - Off-Premises Sales license vs. off-premises sales privileges
- [Alcoholic beverage container definitions](#)
- [Alcohol Delivery \(to consumers\)](#)
 - Where deliveries may occur
 - Hours for delivery
 - For-Hire Carriers
 - Delivery limits
 - Distillery deliveries
- [Expansions of the licensed premises](#)
 - Limited duration/intermittent (limited) expansions vs. full-time and ongoing (permanent) expansion
 - Areas “abutting” and “not abutting” the current premises
 - Expanding into a “common area”
 - Restrictions in expansion areas
 - Shared expansion areas
- [Operational Modifications and Clarifications](#)
 - Signatures

- Refills
- Face coverings
- Supplier-retailer relations modifications
- Expired product
- Manufacturing hand sanitizer
- Expired IDs
- Liquor Liability Insurance
- License Renewal Fees
- Virtual Tastings
- [Temporary Authorities to Operate for Off-Premises Sales license applications](#)
 - Adding an Off-Premises Sales license to Limited or Full On-Premises Sales licensed premises
 - Paying the Off-Premise Sales license fee
 - Information for Local Governing Bodies
- [OLCC Resource Links](#)

INFORMATION ABOUT OFF-PREMISES SALES OF ALCOHOL

Which alcohol products may be sold “to-go” by licensees?

- Please see the [Off-Premises Sales Privileges by Alcohol License and Retail Liquor Store table](#) for specific information about off-premises sales and delivery privileges for all alcohol licensees, including container and volume limits.
- Full On-Premises Sales licensees may temporarily sell mixed drinks and single-servings of wine in sealed containers for off-premises consumption and delivery. Please see the [Drinks To-Go page](#) on our website for more specific information about what is allowed and required for this temporary privilege.
- If you have any questions about which types of alcohol can be sold to-go by licensees, contact us at: olcc.liquorlicenseapplication@oregon.gov.
- NOTE: See the [Information about Alcohol Delivery](#) section in this document for off-premise sales and delivery by liquor stores (liquor store agents) and distilleries with tasting rooms (distillery agents).

What is the difference between an Off-Premises Sales license and off-premises sales privileges?

- The Off-Premises Sales **license** is a retail license that allows the licensee to sell manufacturer-sealed containers (bottles and cans) or securely-covered containers (crowlers and growlers) of malt beverages, wine, or cider for off-premises consumption. The license includes the privilege of providing deliveries to consumers.
- An off-premises sales **privilege** mean the licensee has the privilege of selling certain alcoholic beverage products for off-premises consumption. This privilege is included with many (but not all) of the alcohol licenses. In addition, some licenses allow for sale of certain products for off-premises consumption, but do not allow for delivery. See the [Off-Premises Sales Privileges by Alcohol License and Retail Liquor Store table](#), which is organized according to business or license type to clarify which products may be sold for off-premises consumption by each of these licensees and businesses.

If I hold an Off-Premises Sales license or a Limited On-Premises Sales license can I sell a mixed drink or cocktail in a securely covered container (growler or crowler) for off-premises consumption?

- Off-Premises Sales and Limited On-Premises Sales licensees may fill securely covered containers with only one type of alcohol. Filling securely covered containers with combinations of malt beverages, wine, or cider is prohibited (these licenses are also unable to sell distilled liquor in any way). However, provided there is only one type of alcohol in the container, Off-Premises Sales and Limited On-Premises Sales licensees may add nonalcoholic ingredients, such as nonalcoholic beverages, juice, fruit, spices, etc. to make a drink like a mimosa or a wine-only sangria, for example.

May licensees offer or allow patrons to consume alcohol on the premises while waiting for a food or beverage takeout order?

- It will depend on the [Risk Status](#) of the county and whether the consumption would occur indoors or outdoors. Check the applicable OLCC Risk Status Alcohol FAQs referenced at the top of this document to determine how consumption of alcohol is allowed in your county.

What is the difference between a manufacturer-sealed container, a sealed container, and a securely covered container?

- Manufacturer or factory sealed container means a container holding an alcoholic beverage that was sealed upon removal from federal bond by the manufacturing licensee (like a winery, brewery or distillery that produced the beverage).
- Sealed container means a container with a secure cap or lid that completely covers the opening for the container and a seal designed to make it evident when the seal has been removed or broken. The seal is affixed to the container by the licensee after the container is filled pursuant to a consumer order for the mixed drink. For more information about sealed containers, see resources on the [OLCC's Drinks-To-Go page](#).
- Securely covered container means:
 - A container that is capable of holding two gallons or less;
 - Supplied by the customer (customer provides an empty container to the licensee at the time of fill or pays for the container at the time of fill); and
 - That is closed by the licensee after filling it (lid is screwed on, cap is closed, etc.) so that liquid cannot be released without removing the closure. It does not require a tamper evident seal.

Where can I get more information about “crowlers” and “growlers”?

- A crowler is an aluminum can that can be used to package draft beers for a customer to take home.
- A growler is a refillable bottle that can be used to package draft beers for a customer to take home.
- For OLCC-specific information about crowlers and growlers, go [here](#).

INFORMATION ABOUT ALCOHOL DELIVERY

What is a “home delivery” and who can deliver to my home?

- Home Delivery means delivery to a residence or business with a permanent street address.
 - Delivery includes shipments (e.g., wine-of-the-month club fulfillments).

- See the [Off-Premises Sales Privileges by Alcohol License and Retail Liquor Store table](#) for more specific information about specific license privileges, liquor store agent and distillery agent deliveries, and container and volume limits.
- **Who can deliver to my home or business?**
 - Off-premises Sales licensees (e.g. grocery stores, bottle shops, convenience stores), Breweries, Brewery Public Houses, Wineries, Grower Sales Privilege licensees.
 - Full On-Premises Sales licensees may deliver mixed drinks and single-servings of wine to a home or business. For more information, see the [OLCC's Drinks-To-Go page](#).
 - Out-of-state parties that hold a Direct Shipper Permit.
 - Distillery Retail Outlet Agents.
 - Approved For-Hire Carriers (e.g. food and beverage couriers and common carriers) delivering alcohol sold by a qualified licensee, Direct Shipper Permit holder, or a Distillery Retail Outlet Agent (distillery agent) to a consumer. In addition, approved For-Hire Carriers may deliver distilled spirits to consumers on behalf of Retail Sales Agents (liquor store agents) AFTER an in-store and in-person purchase of the distilled spirits.

What is a “curbside delivery” and who can deliver to the curb?

- “Curbside delivery” is delivery to a location within 100 feet of the business.
- Who can deliver to a location within 100 feet of the business?
 - Off-Premises Sales licensees, Wineries, Breweries, and Brewery Public Houses
 - Full On-Premises Sales licensees may deliver mixed drinks and single-servings of wine to the curb. For more information, see the [OLCC's Drinks-To-Go page](#).
 - Liquor Stores (Retail Sales Agents) and Distillery Tasting Rooms (Distillery Retail Outlet Agents) may deliver factory-sealed containers of distilled spirits to the curb.

If I hold a Limited On-Premises Sales or Full On-Premises Sales license, can I sell a securely covered container for DELIVERY?

- NO. Neither of these licenses include the privilege of selling a securely covered container of alcohol for delivery. In order to deliver a securely covered container of beer, wine, or cider, a Full On-Premises Sales or Limited On-Premises Sales licensee would need to obtain an Off-Premises Sales license or other license that includes the privilege of delivering securely covered containers. See the [Off-Premises Sales Privileges by Alcohol License and Retail Liquor Store table](#) for more information about license-types and delivery privileges.

What is the difference between same-day and next-day deliveries?

- Effective September 15, 2020, the distinctions between “same-day” and “next-day” deliveries in OAR [845-006-0392](#) and [845-006-0396](#) were eliminated. The requirements and privileges related to deliveries of beer, wine, and cider referenced in those rules are now the same, regardless of whether the order was placed on the same day that it is delivered or any day thereafter.

Am I required to submit an application form and receive approval from the OLCC in order to offer same-day deliveries of malt beverages, wine, and cider?

- No. [OAR 845-005-0417](#) was amended to eliminate references to and distinctions between same-day and next-day deliveries of alcohol.

Can you tell me a little more about the malt beverage, wine, and cider delivery limits?

- A single licensee may deliver up to two cases (9 liters per case) of wine **or** cider to an approved delivery on a business day (7:00 am-10:00 pm). Refer to OAR [845-006-0392](#).
- A single licensee may deliver up to five gallons of malt beverages to an approved delivery location on a business day (7:00 am-10:00 pm). Refer to OAR [845-006-0396](#).
- See [Off-Premises Sales Privileges by Alcohol License and Retail Liquor Store table](#) for more specific information about container and volume limits.

Can Distillery licensees deliver distilled spirits products that they've manufactured to consumers?

- Yes, ***if the Distillery licensee is also an approved Distillery Retail Outlet Agent***, the Distillery Retail Outlet Agent may deliver distilled spirits products that the licensee/agent manufactured to consumers. The Distillery Retail Outlet Agent must follow the guidance in the [Distillery Retail Outlet Manual](#) when completing deliveries to consumers. For more information about distilled spirits deliveries see this [quick reference factsheet about sale and delivery of distilled liquor to Oregon residents](#).

Can you tell me a little more about distilled spirits delivery limits?

- Distillery Retail Outlet Agents are allowed to deliver no more than six individual containers of distilled spirits that are manufactured by the Distillery Retail Outlet Agent with no more than two bottles of the same distilled spirits product in a single order. All products must be currently listed by the Commission.
- Deliveries of distilled spirits to consumers may take place as follows:
 - No more than once per day;
 - To a permanent street address of a home/business; and
 - Between 7:00 am and 10:00 pm.
- Deliveries can be made either by an employee of the Distillery Retail Outlet Agent or utilizing a [\(3rd party\) For-Hire Carrier](#).
- Deliveries may also be made “curbside” (within 100 feet of the boundary of the distillery outlet).
- See the [Distillery Retail Outlet Manual](#) for more information.

Where and how may Distillery Retail Outlet Agents accept consumer payments for distilled spirits?

- Consumers may pay for distilled spirits in-person at a Distillery Retail Outlet or through a mobile application or website. Consumers may pay using cash or credit card. For more information about accepting payment for distilled spirits through a third-party mobile application, Distillery Retail Outlet Agents can go [here](#).

What is a For-Hire Carrier and how can I determine if the carrier is approved to transport or deliver alcohol to consumers in Oregon?

- For the purposes of OLCC alcohol delivery standards, a FHC is an individual or entity that holds itself out to the public as providing the services of pick-up, transport, and delivery of alcohol between a licensee, permittee or agent and a resident of Oregon. In order to lawfully provide this service in Oregon, the FHC must be approved to do so by the OLCC. FHCs include, but are not limited to the following when those parties are delivering alcohol to Oregon residents:
 - Common carriers
 - Courier services

- Peer-to-peer ride sharing services
- Taxi cab companies
- App or web-based (e-commerce) food and beverage delivery services
- For more information about For-Hire Carriers, see this [quick reference guide](#).
- For-Hire Carriers do not sell malt beverages, wine, cider, or distilled spirits to a consumer. For more information regarding the role of For-Hire Carriers that are also Third-Party E-Commerce Providers (on-demand food and beverage courier entities that maintain a website or mobile application consumers may use to order food and beverage from businesses), please visit this [link](#).
- **For a list of currently approved For-Hire Carriers in Oregon, please go [here](#).**
- **To apply to become an approved For-Hire Carrier, please go [here](#).**

INFORMATION ABOUT EXPANSIONS OF THE LICENSED PREMISES

Licensees that are expanding their alcohol service areas to comply with OHA social distancing requirements **MAY** need to notify the OLCC of the expansion prior to starting operations in the new area.

Full time and on-going (PERMANENT) expansion of premises (more than 180 days AND all days of the week)

Licensees that want to expand the licensed premises on a **permanent** basis to an indoor or outdoor area **MUST** submit an application to the OLCC. Go [here](#) for an application to expand a service area.

Limited duration/intermittent (LIMITED) expansion of premises (not all days of the week OR for 180 days or less)

Licensees that want to expand the licensed premises on a **limited** basis to **an indoor** or outdoor area read:

- [OAR 845-005-0329\(3\)](#) if the area *is not* continuous with your current premises, or
- [OAR 845-005-0331\(3\)](#) if the area *is* continuous with your current premises.

Licensees that meet all the requirements in the rule that applies to the area the licensee is proposing to use as a part of the licensed premises **DO NOT NEED TO SUBMIT THE APPLICATION TO EXPAND THE SERVICE AREA**. Instead you must follow the requirements in the rule that applies to your new area.

Note that if the licensee is expanding into an **outdoor** area that is *not* continuous with the current licensed premises, in addition to all laws and rules that you must normally follow, you must also follow [OAR 845-006-0309](#)

Here are some of the most common questions staff are receiving related to operating in the expansion areas, and the answers to those questions:

LIMITED DURATION AND INTERMITTENT EXPANSIONS TO LICENSED PREMISES

What is a “limited duration” or “intermittent” expansion area?

- “Limited duration” means the licensee received authorization to use the area as a part of the licensed business from the landowner for a period of 180 days or less.

- “Intermittent” means the licensee received authorization from the landowner to use the outdoor area for something less than all days of the week.
- All other elements to these expansion areas are set forth in [OAR 845-005-0329 \(3\)](#) for areas not abutting the licensed premises and [OAR 845-005-0331 \(3\)](#) for areas abutting the licensed premises.

If the proposed expansion area is indoors may I expand my premises on a limited duration or intermittent basis?

- Yes. Effective January 12, 2021, the OLCC adopted rules that allow existing licensees to **automatically** expand the licensed premises to an **indoor or outdoor** area for a **limited duration** (180 days or less) or an **intermittent basis** (less than all days of the week), **IF** the licensee meets the requirements set out in applicable rules. No application is required.

If the area I want to expand into qualifies for a limited duration or intermittent expansion, am I required to define the boundaries of the licensed premises?

- Yes, [OAR 845-005-0329](#) and [OAR 845-005-0331](#) require licensees to be able to define and provide proof of the boundaries of the expansion area through two documents:
 - Written documentation showing that the landowner has given the licensee the authority to use the area as a part of the licensed business
 - Floor plan that identifies the limited duration/expansion area in relation to the current premises and the area defined is included as the area approved for use by the landowner.
 - Licensees are required to present those documents to OLCC upon request (within 72 hours of the request).

What is my responsibility to comply with liquor laws and rules in a limited duration or intermittent expansion area?

- The limited duration/intermittent expansion area becomes part of the annually licensed premises during the days and times that it is in use as a part of the licensed business. Licensees must comply with all liquor laws and rules in the area and are subject to liability for liquor law violations in the same way they are for violations that occur on the regularly (permanent) licensed premises.

PERMANENT EXPANSIONS TO LICENSED PREMISES

What if the expansion area is located in a privately owned “common area?”

- A “common area” is a privately owned area where two or more parties (property tenants) have permission to use the area in common. Examples include the walking areas between stores at a shopping center, lobbies, hallways, patios, parking lots, etc. An area’s designation as a “common area” is typically identified in the lease or rental agreement. Licensees who want to expand the premises into a common area will need to work with their OLCC Liquor Inspector to complete a Common Area Acknowledgment wherein the licensee at the location confirms that the licensee is the only party authorized to sell, serve, or allow for consumption of alcohol in the designated area (could be the entirety of the common area or a portion of it). The common area for use must be defined in the expansion application or other floor plan submitted to the OLCC. Note: for licensees who are co-located (different licenses, same footprint) at the current premises and who wish to

expand into a common area, those licensees may share the expansion area in the same way they share the currently licensed premises.

Is the [expansion application process](#) available for both indoor and outdoor area expansions?

- Yes, for permanent expansions for both publicly and privately owned land. HOWEVER, if the area qualifies for limited duration or intermittent expansion, licensees should not submit an application and instead follow the applicable rules.

INFORMATION APPLICABLE TO BOTH LIMITED DURATION/INTERMITTENT AND PERMANENT EXPANSIONS OF THE LICENSED PREMISES

What is the difference between “abutting” and “not abutting” the licensed premises and how does that affect what is allowed in the expansion area?

- “Abutting” the licensed premises or building means the expansion area is continuous with the current premises. “Not abutting” the licensed premises means the expansion area is not continuous with the current premises (there is an unlicensed area between the current premises and the expansion area). The requirements for operating in outdoor areas not abutting the licensed building/premises are different from those related to operating outdoor areas abutting the licensed building/premises. The unique requirements for operating in outdoor areas not abutting the licensed premises are in [OAR 845-006-0309](#).

What is the maximum distance allowed between the currently licensed premises and an expansion area that is “not abutting” the current premises?

- The maximum distance (measured current premises boundary line to expansion area boundary line) is 500 feet. Anything more than 500 feet from the currently licensed premises must be treated as a separate licensed premises. The licensee would need to apply for an annual license or special event license in order to exercise license privileges at a location that is more than 500 feet from the current licensed premises.

May patrons carry open containers of alcohol through an unlicensed area to reach a non-abutting portion of the licensed premises?

- No. This is a violation of [OAR 845-006-0345\(6\)](#).

May a licensee’s on-duty service permittees carry open containers of alcohol through an unlicensed area to reach a non-abutting portion of the licensed premises?

- Yes, a licensee’s on-duty service permittee may carry open containers of alcohol through an unlicensed area to reach a non-abutting portion of the licensed premises.
 - For example, a service permittee may take a glass of wine from the licensed indoor portion of a restaurant to a licensed patio that is part of the same premises and separated from the indoor restaurant by a sidewalk that is unlicensed.

What if I plan to conduct only off-premises sales of alcohol in a new area that is continuous or within 500 feet of my current premises? Does the area where the sales are occurring need to be included as a part of my licensed premises (whether through limited duration/intermittent option or as a part of the permanent premises footprint)?

- Yes. In order to exercise privileges of the license in any area, the area must be licensed. This includes conducting off-premises sales of alcohol to consumers. For more information about license privileges related to off-premises sales, view [this table](#).

I have restrictions on my annual license. How do those restrictions apply to an expansion area?

- Licensees are required to comply with license restrictions in all portions of the licensed premises, until modified or removed. [OAR 845-005-0329](#) and [OAR 845-005-0331](#) require licensees to comply with all license restrictions in the limited duration/intermittent expansion areas. If you have questions about restriction modifications, contact your local inspector before operating in the new expansion area in any way other than in full compliance with the license restrictions.

May licensees share premises expansion areas?

- Only licensees who share the annually licensed premises (same licensed footprint) that is being expanded may share the expansion area. This is something that generally applies with wineries or breweries only and is often seen when there is an alternating proprietorship arrangement.

Is there an option for licensing an expansion area with multiple licensees operating different businesses where patrons may move freely with open containers of alcohol throughout the area (the “plaza” concept)?

- The “plaza” concept would be something like a pedestrian area (probably a street closed to vehicle traffic) flanked by restaurants, bars, tasting rooms, shops, etc. where patrons may go in and out of different licensed businesses (and other businesses) with open containers of alcohol.

For an annually licensed premises, there is no way to allow this unless, again, they already share the annual licensed premises (like an alternating proprietorship for a brewery or winery).

It is possible that licensees could obtain special event licenses and band together to create a plaza-like experience for patrons. In this scenario, a special license is issued to each licensee and the licensees would need to work with the OLCC and submit a plan to manage the area. Under one of these operational plans, the OLCC approves a common operational/event area for all licensees, despite having several distinct special event licenses involved. This would require all participating licensees to work together and with the OLCC to ensure that the proposal aligns with requirements for licensing and operational measures for controlling the multi-licensee special events as well as gathering and occupancy limits set by Governor Brown and OHA. For more information about how the OLCC is currently processing special event license applications, see: [OLCC’s Modifications to Special Events factsheet](#).

INFORMATION ABOUT OPERATIONAL MODIFICATIONS AND CLARIFICATIONS

For the duration of the Governor's declared State of Emergency related to the COVID-19 pandemic, is the OLCC requiring For-Hire Carriers to obtain recipient signatures when delivering alcohol to a consumer at a home or business?

- While the State of Emergency Declaration is in effect, the OLCC is **suspending its enforcement** of the requirement that a For-Hire carrier collect the signature of a recipient at the time of delivery. However, for-hire carriers must continue to comply with all other requirements in OAR [845-005-0424](#), including **documenting** all the following information at the time of delivery:
 - The date and time the alcohol was delivered to the resident;
 - The name or information which can be used to determine the name of the person delivering the alcohol to the resident; and
 - The name and delivery address of the person receiving the alcohol.
 - NOTE: effective October 13, 2020, OAR 845-005-0424 will also require that for each order delivered to a consumer, the carrier must document the source of the alcohol (i.e. the name and address of the licensee, direct shipper permittee or agent that sold the alcohol to the consumer for delivery). See this [quick reference factsheet for For-Hire Carriers](#) for more information.

For the duration of the Governor's declared State of Emergency related to the COVID-19 pandemic, is the OLCC requiring licensees to obtain the recipient signature on the Receipt for Sale of Malt Beverages in Kegs to Unlicensed Group or Individual (Form 760)?

- While the State of Emergency Declaration is in effect, the OLCC is **suspending the enforcement** requiring licensees that are eligible to sell kegs to consumers to collect the signature of the recipient on [Form 760](#) (commonly known as "keg tag receipt form") at the time of selling the keg to the consumer. However, licensees must continue to comply with all other requirements in OAR 845-006-0441, including **completing all of the following steps** at the time of selling the keg to the consumer:
 - Complete a Receipt for Sale of Malt Beverages in Kegs to Unlicensed Group or Individual (Keg Tag Receipt Form - [Form 760](#));
 - Have the purchaser read the receipt and give the purchaser a copy of the receipt (receipt may be viewed and sent to the purchaser electronically)
 - Make sure the information on the receipt is accurate; and
 - Securely attach a Commission-issued, serially-numbered identification label (keg tag) to each keg.
 - If the licensee has reason to question the purchaser's legal age or identity, the licensee will ask the purchaser for two additional pieces of identification. One of these pieces of identification must include the purchaser's physical description or picture, date of birth, and signature.

For the duration of the Governor's declared State of Emergency related to the COVID-19 pandemic, is the OLCC requiring licensees and direct shipper permittees to obtain recipient signatures when delivering alcohol to a consumer at a home, business, or to the curb?

- While the State of Emergency Declaration is in effect, the OLCC is **suspending its enforcement** of the requirement that a licensee or permittee collect the signature of a recipient at the time of delivery. However, licensees and permittees must continue to comply with all other requirements in OAR

[845-006-0392](#), [845-006-0396](#), and [OAR 845-006-0399](#), including **documenting** all the following information at the time of delivery:

- The date and time the alcohol was delivered to the resident;
- The name or information which can be used to determine the name of the person delivering the alcohol to the resident; and
- The name and delivery address of the person receiving the alcohol.

Can a customer bring in a used growler and refill it with malt beverages, wine, or cider in a bar or restaurant?

- According to the [Oregon Health Authority](#), refilling a growler that a customer brings into the establishment is not recommended at this time due to the risk of cross contamination. Exchanging the used growler for a new or sanitized growler may be an option.

What are the requirements for businesses related to wearing face masks/coverings?

- Unless an exemption or exception applies, statewide, face coverings must be worn by ALL individuals as discussed in [OHA's guidance about face coverings](#). OHA has also published [Reopening FAQs for Face Coverings](#).

Now that customers are [required to wear face masks](#) in all indoor public spaces and outdoor public spaces when 6 feet of distancing is not possible, am I required to check the ID of a person purchasing alcohol?

- Yes. It is still a requirement to check ID and verify the person making the purchase is the person listed on the ID.

May licensees return beer, wine, and cider their suppliers and distilled liquor to retail liquor stores?

Supplier Return of Stock

- Suppliers may accept **returns** of malt beverages, cider, and wine from establishments that hold annual liquor licenses if those alcoholic beverages will pass their sell-by date while the Governor's declared State of Emergency in response to the COVID-19 pandemic is in effect.
- Suppliers may always **exchange** malt beverages, cider, and wine from establishments that hold annual liquor licenses if those alcoholic beverages are near or past their shelf life.

Return of Stock to Liquor Store

- Licensees may return unopened distilled liquor to OLCC agent-operated stores for the duration of the State of Emergency in response to the COVID-19 pandemic without being required to pay the usual 8% restocking fee.

Licensees and Retail Sales Agents are not required to obtain prior approval from the Commission before returning alcohol or accepting returns of alcohol in accordance with the above guidelines. Suppliers are not required to accept returns.

May suppliers who accept returns/exchanges of alcohol (malt beverages, wine, or cider) from retail licensees due to expiration of the product request a refund or credit for the privilege taxes paid on the expired product?

- Yes. To request a refund or credit for privilege taxes paid on expired and subsequently destroyed malt beverages, wine, or cider, please follow the process outlined in this [document](#).

May Oregon licensees who donated malt beverages, wine, or cider to Oregon distilleries for the purpose of manufacturing hand sanitizer request a refund or credit for the privilege taxes paid on the donated product?

- Yes. To request a refund or credit for privilege taxes paid on the donated malt beverages, wine, or cider, please follow the process outlined in this [document](#).

How may Oregon licensees dispose of unsaleable (expired) malt beverages (beer)?

- Please visit this [document](#) for more information about disposing of beer that has expired or will expire

May suppliers provide face coverings to retailers for use at the licensed premises?

- The OLCC will not consider it a violation of [OAR 845-013-0060](#) for alcohol suppliers to provide cloth face coverings or paper face masks to retailers for use by the retailer's employees. If a supplier wishes to provide face coverings to retailers, suppliers must comply with OAR [845-013-0001\(3\)](#) and offer these items to all of their retail licensee customers without discrimination. These face coverings should be provided for use by a retailer's employees and not provided to the retailer's customers for their use off of the licensed premises.

A customer came to the store with an expired ID, is it alright to accept it as valid ID since the DMV is closed?

- If a State of Oregon ID with an expiration date of March 8, 2020 or later, which means the customer wasn't able to go to the DMV to renew it, the OLCC will consider it a valid ID while the Governor's [Executive Order 20-66](#) is in effect. For more information see the Oregon Department of Transportation's [public notice regarding expired drivers licenses and IDs](#).

Does this apply to any other forms of ID that have expired, like a passport or identification from another state?

- No, this only applies to State of Oregon issued identification.

Are OLCC Liquor Licensees Required to keep their Liquor Liability Insurance (LLI) during the COVID-19 public health crisis, even if they're closed?

Liquor Liability Insurance (LLI) Overview:

- In response to the COVID-19 outbreak, the Department of Consumer and Business Services issued an emergency order that "...requires all insurance companies to extend grace periods for premium payments, postpone policy cancellations and non-renewals, and extend deadlines for reporting claims."
- Liquor Liability Insurance is a "surplus line" of insurance and is not regulated by any agency in Oregon. Licensees should be aware that any lapses in coverage may result in an increase in

premiums, reinstatement fees or a licensee may be required to undergo another underwriting process. All impacted licensees should reach out to their insurance provider(s) to determine if the insurer provides any options besides cancellation, such as a suspension of payments or nonpayment forgiveness. Please visit this [link](#).

Are licensees required to maintain Liquor Liability Insurance (LLI) while the Oregon Governor’s declared State of Emergency in response to the COVID-19 pandemic remains in effect?

- OLCC is allowing licensees to choose whether or not to maintain continuous coverage of Liquor Liability Insurance (LLI) as allowed by OAR 845-005-0400(10). If a licensee takes the appropriate and required actions detailed in the [COVID-19 TEMPORARY CHANGE TEMPORARY STOP/START OF LIQUOR LIABILITY INSURANCE](#), the OLCC will NOT penalize a licensee for stopping and then restarting their LLI.

Will the OLCC enforce penalties for any lapse in LLI coverage during the period of time that on-premises consumption of alcoholic beverages is prohibited?

- For any licensee that is required to have LLI or a bond, and that did not complete the process outlined in the [COVID-19 TEMPORARY CHANGE TEMPORARY STOP/START OF LIQUOR LIABILITY INSURANCE](#), document the OLCC will consider a lapse in coverage to be a violation of ORS 471.168 and OAR 845-005-0400.

Are liquor stores required to operate during the regularly scheduled hours?

- OLCC Liquor Stores are open, however staffing level challenges have forced stores to alter their operating hours. Please call ahead to your local store to find out about any alterations to their operations. To locate stores near you go to: www.oregonliquorsearch.com and click on the “Locations” tab.
- The OLCC has also provided liquor store retail agents with guidance on how to conduct business while practicing safe social distancing between staff and customers under the Governor’s declared State of Emergency in response to the COVID-19 pandemic.

Is the OLCC offering relief on payment of license renewal fees (including late renewal fees)?

- The OLCC has taken action with each renewal district to **postpone** the due date for payment of the 2020-2021 license renewal fees. The OLCC is required by statute to collect alcohol license fees and may not waive the requirement for licensees to pay the 2020-2021 license fee. Rather, the OLCC allowed licensees to **delay payment** of the 2020-2021 renewal fee for a set amount of time without incurring a late fee. Please see this [COVID-19 Postponement of Alcohol License Renewal Fees – Conditional Letter of Authority](#) document for details.

May wineries offer “virtual wine tastings” to consumers in Oregon?

- Yes, provided that the virtual wine tastings are conducted in conformance with the guidance outlined in this [document](#).

Can Distillery licensees produce hand sanitizer?

- Yes, provided that the distillery complies with the information contained in this [Hand Sanitizer Resource Guide](#)

INFORMATION ABOUT TEMPORARY AUTHORITIES TO OPERATE FOR OFF-PREMISES SALES LICENSE APPLICATIONS AT EXISTING FULL OR LIMITED ON-PREMISES LICENSED LOCATIONS

How does an existing Full or Limited On-Premises Sales licensee get a Temporary Authority to Operate (ATO) for an Off-Premises Sales license?

- Follow the steps outlined in this [document](#).

If I do not hold a Full or Limited On-Premises Sale license, am I eligible for a “fast-tracked” Temporary ATO for an Off-Premises Sales license?

- No.

Will I be required to pay the license fee for the Off-Premises Sales license if I did not pay the license fee at the time of receiving Temporary Authority to Operate?

- Yes, the applicant will be required to pay the license fee.
 - Payment will be due no later than at the time the OLCC issues the final Off-Premises Sales license.
 - The OLCC does not prorate license fees. If an applicant wishes to operate during any portion of a license year, the applicant is responsible for paying the entire license fee for the year.

What do local governing bodies (cities & counties) need to know regarding the Off-Premises Sales license temporary authority to operate “auto-approval” process and the local governing body recommendation?

OLCC staff are receiving questions from local governing bodies (cities and counties) about the Off-Premises Sales license temporary authority to operate “auto approval process” that the OLCC has implemented as outlined in this [factsheet](#). Below is some additional information specifically intended for local governing bodies with respect to these applications:

- *Temporary Authority to Operate (Temporary ATO):* Per ORS 471.297 & 471.302, the OLCC may grant a request for a temporary authority to operate to applicants for a new Off-Premises Sales license and to applicants purchasing an existing licensed business where the proposed license-type will remain the same after the change in ownership. The Temporary Authority to Operate is not a license. Rather, it is a temporary authority to operate with the privileges of the applied-for license while the OLCC conducts its investigation of the license application (including receiving the local governing body’s recommendation for the license).
- *Additional Privilege, Off-Premises Sales license application packets to local governing bodies:* The OLCC license application packets that applicants will submit to the local governing body for the add privilege, Off-Premises Sales license will include the following OLCC license application documents:
 - Liquor license application
 - Entity Questionnaire (if applicable)
 - Business Information Form

OLCC Resource Links

- [Off-Premises Sales Privileges by Alcohol License and Retail Liquor Store table](#)
- [Hand Sanitizer Resource Guide](#)

- [COVID-19 TEMPORARY CHANGE TEMPORARY STOP/START OF LIQUOR LIABILITY INSURANCE](#)
- [COVID-19 Postponement of Alcohol License Renewal Fees – Conditional Letter of Authority](#)
- [COVID-19 Temporary Changes: Off-Premises Sales & Delivery \(Add Off Premises License\)](#)
- [COVID-19 Interim Policy: Third-Party E-commerce Operators](#)
- [COVID-19 Malt Beverage \(Beer\) Disposal](#)
- [Quick Reference: For-Hire Carriers](#)
- [Quick Reference: Sales and Delivery of Distilled Liquor to Oregon Consumers](#)

Email contacts

- For specific questions about alcohol licensing, please contact olcc.liquorlicenseapplication@oregon.gov
- For specific alcohol license compliance questions, please contact: Alcohol.OLCC@oregon.gov
- For specific questions on OHA's guidance, please contact: COVID.19@dhsoha.state.or.us