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## **Relative to the Sale, Service, Delivery, and Take-Out of Alcoholic Beverages During the COVID-19 State of Emergency.**

**Relative and Applicable Statutes and Rules:                   RSA 178:20, 178:21, 178:22, 179:15**

Emergency Order #2 and Pursuant to Executive order 2020-04 states, “Food and beverage sales are restricted to carry-out, delivery, curbside, pick up, and drive through only, to the extent permitted under current law. **No onsite consumption is permitted**, and all onsite consumption areas in restaurants, diners bars, saloons, private clubs, or any other establishment that offers food and beverages for sale shall close to customers.” **This order pertains to restaurants and all other liquor licensees who sell or serve beverages or liquor on their premise including tastings and samplings.**

Given the impact to the on-premise licensee in possession of a restaurant license, they shall be authorized to allow for takeout or delivery of beverages or table wine. The licensee shall be able to travel from town to town or from place to place in the same town carrying prepaid orders for delivery of any beverage or wine they are licensed to sell provided:

- The order was paid for at their place of business prior to the loading of the vehicle,
- All beverages and wines transported pursuant to RSA 179:15, II shall be transported in their original, manufactured, sealed containers and shall consist of no greater than 192 ounces of malt beverage or 1.5 liters of sparkling or still wine;
- The employee meets of the definition RSA 254; the provisions of RSA 178:23, II and has a W-2 with the holder of the restaurant license.
- The licensee or employee has in their possession in the vehicle:
  - A copy of the restaurant license; and
  - A delivery invoice showing the quantities, type, origin and destination of the food and alcoholic beverage being delivered;
  - The beverage or wine is delivered to a physical building or residence.
  - The beverage or wine is invoiced and delivered only to a person meeting the requirements of RSA 179:5.
- All deliveries of beverages and wines shall be accompanied by food prepared by the restaurant licensee and ordered by the consumer.



## NEW HAMPSHIRE LIQUOR COMMISSION

*Division of Enforcement, Licensing and Education*

***Industry Circular***

Number 2020-04

Issued March, 18, 2020

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- No beverages or wine shall be delivered to any college, university, or school, whether public or private, located within the state. No deliveries of any alcoholic beverage shall be delivered to any public library, public playground, or public park. In no case shall any beverage or wine be transferred or delivered to a person on a street, sidewalk, public way.
  - Deliveries of beverage and wine shall occur between the hours of 6:00a.m. and 11:45p.m, 7 days a week

These provisions shall remain in effect until Monday April 6, 2020.