

ABC Compliance Guidance for Executive Order 118

The purpose of the Governor's Executive Order 118 and the NCDHHS Order of Abatement of Imminent Hazard is to reduce the possibility of exposure to Covid-19 through deterrence of gatherings. These guidelines are offered with that goal in mind.

1. **All on-premises sales and consumption of alcoholic beverages must stop.** (Food is for carry-out, drive-through, and delivery only.) All sales for off-premise consumption of beer and wine must be for carry-out and in "the manufacturer's original container." Sit-down service to patrons indoors or in an outdoor seating area is not allowed. *G.S. §18B-1001(1) and (3)*
2. **Only off-premise** sales of beer and wine are allowed from establishments with appropriate retail beer or wine permits.
3. Retail permittees may deliver beer and wine for off-premise consumption in the manufacturer's original container to vehicles at a curb or a parking space adjacent to the licensed premises without requesting approval of extension of premises from the ABC Commission, while this Executive Order remains in effect.
4. Spirituous liquor sales (and return policies) from ABC stores are determined by local ABC boards.
5. Distilleries may still sell bottles for off-premises consumption. The ABC Commission will not enforce the requirement of a tour of the distillery before purchasing a bottle. *G.S. §18B-1105*
6. On-premise mixed beverage sales or consumption is not allowed at distilleries while this Executive Order is in effect.
7. Tastings are on-premise consumption and are not authorized at retail locations, distilleries, wineries or breweries.
8. Violation of the Secretary of NCDHHS's Order of Abatement of Imminent Hazard may result in injunctive relieve or prosecution for a misdemeanor offense. *G.S. §§ 130A-18 and 130A-25*
<https://files.nc.gov/ncdhhs/documents/files/covid-19/Abatement-Order--Final-3-17-19.pdf>
9. Violation of the Governor's Executive Order is a Class 2 misdemeanor. *G.S. §166A-19.30(d)*
<https://files.nc.gov/governor/documents/files/EO118.pdf>
10. Violation of the Governor's Executive Order could result in penalties against ABC permits. *G.S. §18B-1005*

For explanations of on-premise versus off-premise, please see:

https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_18b/GS_18b-1001.html