



LIQUOR TO-GO

FREQUENTLY ASKED QUESTIONS

The Michigan Restaurant & Lodging Association (MRLA) has worked diligently with Michigan lawmakers to swiftly introduce and pass Public Act 125 of 2020 that allows mixed drinks and other distilled spirits cocktails to be sold to-go or can be delivered to a customer's home. The MRLA is constantly working to find new solutions to opportunities for revenue for Michigan's hospitality industry.

1. Is there a limit to how many cocktails can be delivered at once?

No, but a valid ID is required to be presented at time of delivery.

2. Do I need a special license to sell cocktails to go?

No.

3. Are there restrictions on the types of cocktails that can be sold?

No.

4. What types of containers do I have to use to be compliant with Public Act 125 of 2020

- The outside of the container must be labeled with Contains Alcohol
- Cannot be in its original container
- The container must be clean and sealable
- The liquid capacity does not exceed one gallon
- The container may not contain straw holes or perforations

5. When can I start to sell cocktails to go?

Immediately.

6. Can a customer purchase a cocktail-to-go as a standalone order?

Yes, customers do not need to purchase food with a carry out cocktail order.

7. Can a third-party delivery service deliver cocktails?

Yes, but only for bars and restaurants. Manufacturers such as distilleries may not use a third-party service but may allow an employee to deliver cocktails.

8. Can I pre-package cocktails in advance and sell them?

No.

9. Can I sell deconstructed cocktail kits? For example: a Bloody Mary with the mix, vodka and garnishes all in separate containers?

Yes, but the alcohol cannot be in its original container (a 50 ml bottle for example) and would therefore need to be in a container that meets the requirements described in question number four.

10. Can I sell unopened bottles of distilled spirits, such as 750 ml?

No. Alcohol cannot be sold in its original container.

11. If a customer dining or drinking in a licensed establishment doesn't finish their drink, can the operator put it in a to-go cup?

No. As of August 12, MLCC has provided clarification to MRLA that this is NOT permitted. The reason being that the statute states in subsection (1) "... a qualified licensee may fill and sell qualified containers with alcoholic liquor for consumption off the premises...". The filling and selling of a qualified container appears to be one transaction with the express intent for the alcohol to be consumed off the premises from the beginning. Filling a container after the sale has already taken place and with alcohol that was not sold for the express intent of being consumed off the premises would appear not to comply with the statutory language.