

The Department of Revenue is responsible for enforcing Wisconsin's laws related to the manufacture, wholesale distribution, and retail sale of alcohol beverages. Governor Evers announced Emergency Order 8 that clarifies mass gathering restrictions from Emergency Order 6 on alcohol producers, wholesalers, and distributors.

Governor Evers has asked DOR to clarify permissible sale and distribution activities during the COVID – 19 pandemic. DOR has issued [emergency guidance](#) that alcohol beverages may be ordered on a "carry out" basis, as long as face-to-face sales are made. [Interested parties and industry members should view the emergency guidance document here.](#)

The Department recognizes this is a difficult time for members of the alcohol beverage industry and the public. To alleviate concerns of the industry and public over what trade practices are allowed, the Department would like to make known the enforcement discretion that it has chosen to exercise during this public health emergency:

- During this health emergency, the Department of Revenue will not take enforcement action on establishments who are in compliance with COVID – 19 related alcohol beverage guidance and choose to offer "carry-out" sales of alcohol beverages directly outside their premises. Establishments are encouraged to seek premises amendments during this time period.
- On March 13, 2020, the Alcohol & Tobacco Tax and Trade Bureau (TTB) released guidance explaining that they will not consider returns of alcohol beverages purchased to sell during these canceled events to violate Federal consignment rules. No enforcement actions will be taken by WI DOR regarding returns of alcohol beverages purchased to sell at events that were subsequently canceled due to concerns over COVID-19. However, wholesalers are not required to accept returns of these alcohol beverages.

Permittees wishing to amend their premises may submit requests to DOR, where they will be expeditiously considered. Licensees should work with their municipalities to amend their premises. Municipalities are encouraged to work with licensees to expedite such requests, given the emergency.

Brewers may continue to submit applications to DOR for approval of off-site retail outlets. DOR will review these on a case-by-case basis, and will give thoughtful consideration of any risk to public health. Determinations to grant such requests will be dependent upon conformity with state law and municipal ordinances, and local, state and/or federal public health orders.

If you have any questions specific to alcohol beverage regulation in this state, reach out to our Alcohol & Tobacco Enforcement Unit at DORAlcoholTobaccoEnforcement@wisconsin.gov.

Connect with us!
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