Iowa Alcoholic Beverages Division implements new rules for sales of mixed drinks or cocktails to-go

Date Thursday, October 1, 2020
FOR IMMEDIATE RELEASE: October 1, 2020
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(ANKENY) - The Iowa Alcoholic Beverages Division (ABD) announced today that administrative rules to address the filling, sealing and sale of mixed drinks or cocktails to-go have been filed and are now effective.

The rules prohibit the sale of mixed drinks or cocktails to-go in paper or Styrofoam cups, or plastic cups that are intended for one-time use. Lids with straw holes or

sipping holes are also prohibited from being used.

Containers of mixed drinks or cocktails to-go must also bear a seal that makes it visibly apparent when that seal has been tampered with. The types of sealing methods allowed under the rules are heat shrink wrap bands around the cap or lid, twist-top caps that break apart when the container is opened, or vacuum or heat-sealed pouches containing the mixed drink or cocktail.

These container and sealing requirements are necessary to comply with federal open container laws and ensure that Iowa does not lose approximately $12 million in annual federal funding for bridge and road construction and repair projects.

Mixed drinks or cocktails to-go that are in containers and have sealing methods allowed under the rules are not open containers and can be transported in the passenger area of motor vehicles.

Customers transporting mixed drinks or cocktails to-go that are not in compliance with the rules in the passenger area of a motor vehicle could face a fine of $200 for an open container violation.

Licensees found to be selling mixed drinks or cocktails to-go that are not in compliance with the rules could face a civil penalty, license suspension or license revocation.

On June 29, House File 2540 was signed into law, legalizing the sale of mixed drinks or cocktails to-go by class “C” and class “C” native distilled spirits liquor licensees. The legislation also authorized ABD to adopt emergency administrative rules to implement the provisions of law related to mixed drinks or cocktails sold to-go.

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