

ALCOHOL AND COVID-19: WHAT CAN KENTUCKY PREVENTION DO? “PREVENTION MUST AND WILL FIND WAYS TO PERSEVERE”

05/20/2020 NOTE FROM THE AUTHOR:

Since the beginning of the COVID-19 outbreak, I have prioritized sharing research-based updates and news on new state laws, the Governor’s ABC Executive Orders, and data on increased alcohol sales.

I have summarized my top eight concerns around four issues in regards to alcohol and COVID below, and provided a recommended action step to each concern called **WHAT CAN PREVENTION DO**. While COVID-19 has brought much of the U.S. to a standstill, the alcohol problems facing our nation and state persist. Prevention must and will find ways to persevere, because we are #TeamKentucky and #TeamPrevention.

Best wishes,

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State Alcohol Prevention Enhancement Specialist



ISSUE A: 55% INCREASE IN ALCOHOL SALES



According to Neilson data, with the social distancing restrictions, U.S. alcohol sales increased 55% in late March. Other nations are also reporting recent spikes in alcohol sales. In Australia, coronavirus-themed alcohol marketing, including advertising “survival kits” and “isolation six-packs,” has sparked calls for regulators to ban making references to depression and isolation in marketing material.

1. **CONCERN 1:** While the increase in sales could represent stockpiling, experts warn it also signals the potential for alcohol abuse.

WHAT CAN PREVENTION DO? – A new digital tracking tool on the [National Institute on Alcohol Abuse and Alcoholism](#) (NIAAA) website helps make people aware of potentially dangerous drinking habits while in quarantine. Help spread the word [virtual recovery services are available](#).

2. **CONCERN 2:** An additional concern is increased alcohol sales = more alcohol in the home = greater potential for in-home access to youth with/without their parents knowledge.

WHAT CAN PREVENTION DO? – Kentucky communities are utilizing social awareness campaigns during this time of social distancing to encourage parents to monitor the alcohol in their homes, find conversation starters and tools to talk to their kids about alcohol prevention, and increase protective factors through things like family dinners. Reach out to the [Alcohol PES](#) to learn more.

3. **CONCERN 3:** Age verification challenges with consumers wearing mask during COVID-19 is a concern. [In Maine](#), retailers have asked customers to remove their mask when purchasing alcohol for age verification to avoid sales to underage buyers.

WHAT CAN PREVENTION DO? - While I’m not aware of this question coming up in Kentucky yet or a response issued by our KY ABC or Governor’s Office, it’s important to remind sellers/servers while under KY law they are not required to check ID, the seller/server and licensee can be held liable if they sell alcohol to a minor.



ISSUE B: SOCIAL NORMS, IMPAIRED DRIVING & OPEN CONTAINERS

Forty states, including KY, prohibit the consumption and possession of open containers of alcohol while in a motor vehicle. However, the temporary KY Governor's Executive Order makes an exception to this law by allowing restaurants to offer to-go alcoholic drinks with lids. According to Neilson data, a growing number of consumers claim to be ordering alcohol with their takeout from restaurants (14% of U.S. consumers in the week ended April 25, up from 9% in the previous two weeks).



4. CONCERN 4: Last week marked the 32nd anniversary of the Carrollton KY Bus Crash, the deadliest drunk driving crash in U.S. history. Since this tragic event, impaired driving prevention and social norms including the public's view towards impaired driving have come a long way. **I am concerned this temporary COVID-19 Executive Order allowing alcohol curbside pickup in a container with a lid might have some long-term undesirable impacts on impaired driving by normalizing behaviors like operating a motor vehicle with an open container of alcohol.**



- WHAT CAN PREVENTION DO?** - As preventionists and concerned community members, it is our role to ensure the “new normal” includes zero acceptance for impaired driving. Visit [MADD.org](https://www.madd.org) to find out what you can do if someone you know is a drunk driver.

5. CONCERN 5: I am also concerned about potential increased access to youth through the restaurant alcohol curbside pickup and delivery allowed during COVID. On-premise establishments like restaurants are not accustomed to alcohol service in these non-traditional ways, and I am concerned while trying to social distance and minimize interaction they might be less likely to verify age through a physical ID check.



“CALIFORNIA SAYS DELIVERY APPS ARE MAKING IT EASY FOR MINORS TO GET BOOZE” - A recent investigation by the California ABC found minors are routinely able to purchase alcohol through delivery available during COVID-19 from restaurants. While violations were discovered when the restaurant's employees operated the delivery service, far greater violations were discovered when restaurants allowed alcohol deliveries from third-party services like Uber Eats, DoorDash, and Postmates, making “it almost ridiculously easy for minors to order alcohol.”

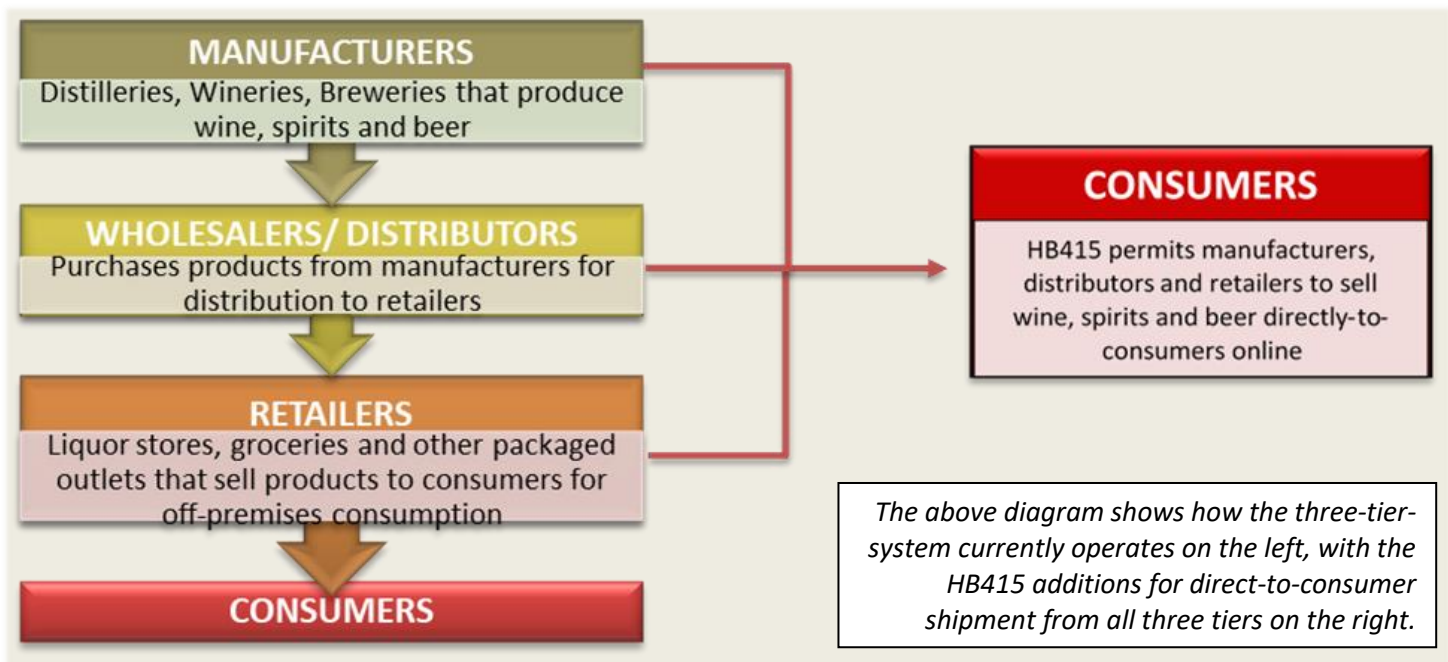
- WHAT CAN PREVENTION DO?** – Reach out to your [Local ABC Administrator](#) or Local Alcohol Enforcement Officer to find if they have the tools they need to investigate alcohol curbside pickup in Kentucky, and ask what you can do to help.



ISSUE C: DIRECT-TO-CONSUMER SHIPMENT & ADULT EXCESSIVE ALCOHOL USE

In Kentucky, as many struggle to cope with additional stress and social isolation, options to consumers to access alcohol have expanded during the pandemic. Some states and nations, such as Pennsylvania and [Yucatan state government in Mexico](#), followed global advice from the [WHO](#), whose regional office for Europe recommended governments restrict access to alcohol during COVID-19 adding alcohol consumption during an emergency can exacerbate health vulnerabilities, risk-taking behavior, mental health issues and violence.

Certain pandemic decisions to expand alcohol accessibility, like allowing alcohol curbside pickup from restaurants, [were made to assist those in the hospitality industry struggling to stay afloat during this unprecedented time](#). Some alcohol off-premise retailers, like liquor stores, have expressed concern the expanded alcohol direct-to-consumer shipment law (*KY HB415 enacted April 2020*) set to go into effect in mid-July, may put Kentucky's small business owners at risk due to the new allowance of e-commerce alcohol sales challenging the three-tier-system of alcohol regulation in favor large out-of-state corporations.



[According to Nielsen data](#), brick-and-mortar alcohol dollar sales during the seven-week COVID impacted period ended April 18th were up 21%, while online sales of alcohol skyrocketed to over 2X that of a year ago, up 234%. It is unknown if this trend will continue after the pandemic.

6. CONCERN 6: I am concerned direct-to-consumer alcohol shipment eases alcohol accessibility not only to minors, but also to adults potentially already struggling with addiction and excessive alcohol use – increasing alcohol accessibility during a pandemic further complicates this situation.

- ❑ **WHAT CAN PREVENTION DO?** – Contact your local mental health providers and recovery centers through your [local ASAP Coalition](#) to find out what tools and resources they have available to support those in recovery during this challenging time and share this information.



ISSUE D: DIRECT-TO-CONSUMER SHIPMENT/DELIVERY & ACCESS TO MINORS



Traditional alcohol compliance check protocol may not work with e-commerce and out-of-state sales. As result, alcohol enforcement will need to adapt and implement procedures to ensure online retailers have employed a sufficient age verification system and to ensure delivery carriers are obtaining the required adult signature when delivering packages containing alcohol. [Governor Beshear has said](#) there is a state budget shortfall due to COVID-19 which could have a significant impact on state government into next year, including on education and public safety.

7. **CONCERN #7: Home delivery, according to SAMHSA, increases the potential for minors to access alcohol.**

- [Research suggests](#) delivery persons have less incentive to verify age during delivery when they are away from the licensed establishment, and cannot be watched by a surveillance camera, store management or other customers. One [study](#) found alcohol delivery services are used more by adult male problem drinkers than those without a history of alcohol problems. Another [study](#) reported delivery services are used more by under-21 male frequent, heavy drinkers.
- WHAT CAN PREVENTION DO?** Support law enforcement efforts by conducting [Alcohol Purchase Surveys \(APS\)](#) using trained youthful-looking adults (age 21 or older) who shop local and online alcohol retailers to attempt to purchase alcohol. Report the information collected to alcohol enforcement to help them target and refine their enforcement operations. If adult community members choose to have alcohol delivered to their personal residence, ask them to [report to alcohol enforcement](#) instances where the shipping carrier delivers WITHOUT an adult's signature.

8. **CONCERN 8: The expansion of alcohol direct-to-consumer shipment creates a new challenge for local and state law enforcement to enforce existing alcohol laws and ensure compliance against retail sales to minors under-21.**

- In 2012, a [study published in JAMA](#) evaluated online alcohol sales to minors. Results showed of the 100 orders placed by underage purchasers, 45% were successfully received. The study revealed the delivery age verification was inconsistently used, and when attempted, failed about half the time.
- WHAT CAN PREVENTION DO?** – Reach out to your [Local ABC Administrator](#) or Local Alcohol Enforcement Officer to find if they have the tools, procedures and training they need to investigate direct-to-consumer shipment when it goes into effect in mid-July 2020. Investigations will be needed to see if common shipping carriers are requiring adult signature for alcohol delivery, if online including out-of-state retailers have sufficient age verification systems in place, and to confirm attempts to prevent alcohol shipment to dry territories. Funding for training and/or additional alcohol compliance checks may be needed to support these initial enforcement efforts.

ADEQUATE FUNDS FOR ALCOHOL ENFORCEMENT ARE NEEDED to adapt, receive training on and implement compliance operations, designed to check if licensees are checking IDs and refusing to sell to underage youth, when alcohol is available for shipment/delivery directly to consumers.

