



Alcohol: Keep a Lid on It - Talking points for Prevention

Background Information:

- Kentucky by-the-drink establishments, including restaurants, can serve alcohol-to-go per legislation
 - Executive ABC Order 2020-215 <https://abc.ky.gov/Documents/ABCOrder2020-215.pdf>
- While the order supports businesses during the COVID-19 pandemic due to increased takeout sales, alcohol sold in to-go cups may increase youth access and the risk of drinking while driving.
 - Alcohol-to-go containers/cups are not required to identify they contain alcohol, creating a potential accidental consumption risk to underage youth or others not wishing to consume alcohol.
 - State open container laws were passed in Kentucky and numerous other states to prevent alcohol impaired driving. Having alcoholic drinks that are not labeled properly, while driving, weakens law enforcement's ability to enforce open container laws. (See below for more information)
 - Information on Kentucky's Open Container Statutes (Ky. Rev. Stat. §189.530, §222.202, §243.115 is available via the [National Conference of State Legislatures \(NCSL\)](#)).
 - According to the [National Highway Traffic Safety Administration \(2018\)](#), "The differences amount to ten percent more alcohol-involved fatal crashes in states without Open Container laws, compared to states with either partially or fully-conforming laws".

Purpose of the Labels:

- A special prevention committee was recently formed to design two labels with alcohol prevention messaging. The labels will be offered statewide to local restaurants and other alcohol-by-the-drink establishments to put on their alcohol-to-go drinks. Regional Prevention Centers, community coalitions and others involved in prevention are promoting the use of labels by those serving alcohol-to-go.
- The labels were designed to alert the adult purchaser the beverage contains alcohol.

- The tamper evident seal secures alcoholic drinks placed in a bag or container to make it visibly apparent if the container has been opened or tampered with.
- The seal makes it easier for law enforcement to know if an alcohol-to-go product has been consumed within the vehicle during transport.
- The labels have a positive message, thanking the community for not providing to minors. This message aligns with restaurant priorities to not sell to minors.
- Additional information on underage alcohol use and impaired driving can be accessed by scanning the QR code on the tamper seal.
- <https://kyalcoholprevention.org/alcohol-put-a-lid-on-it>

Sample Pitch:

Alcohol-to-go became legal in Kentucky with signed legislation in March 2021. This legislation extended an Executive Order enacted in Spring 2020 and allows for the sale of alcoholic beverages by alcohol by-the-drink establishments, including restaurants and bars.

The legislation supports businesses impacted by closures during the COVID-19 pandemic, however, alcoholic beverages served to go can increase access to alcohol by youth. The most common place youth report accessing alcohol is from family and friends. Because the brain continues developing well into the 20s, use of alcohol by youth can damage or delay brain development.

Alcohol-to-go may also increase the prevalence of impaired driving and alcohol related accidents and weaken open container laws. Utilizing tamper-evident seals on alcoholic to-go drinks allows law enforcement to easily identify if an alcoholic beverage has been consumed during transport. In 2019, 140 people were killed in alcohol-related collisions, according to data reported by law enforcement agencies (KY State Police, 2019).

Two labels have been created for this project. One is a tamper evident seal that goes across the top of a lid, and the other is a sticker that goes on the side of a container. These ensure alcohol-to-go drinks clearly indicate they contain alcohol and discourage drinking while driving.



In addition to addressing some of the issues, the labels allow local businesses to be active partners in reducing underage drinking. The label's use sends a message to the community, these establishments care about ensuring alcohol stays out of youth's hands. Some restaurants already use tamper evident seals to increase consumer's feeling of safety for themselves and their families.

- 2020 data from MADD and the Tennessee Alcoholic Beverage Commission showed that about 1/3 of businesses providing curbside pickup sold alcoholic beverages to minors.
- Not enforcing open container laws can also jeopardize federal highway construction funds. “If a state fails to enact and enforce a conforming Open Container law, a percentage of a state's Federal-aid highway construction funds will be transferred to the state's alcohol-impaired driving countermeasures, the enforcement of drinking and driving laws, or for hazard elimination activities” (NHTSA, 2018)



Tips for Implementation:

1. Don't be overwhelmed by the scope of this project.
 - Remember that not all by-the-drink establishments are serving alcohol-to-go.
 - Check local data to prioritize your counties for implementation.
2. Start with local coalitions and explain the project to them. Provide some local data on underage drinking and impaired driving deaths to secure buy in.
3. Local contacts can help compile a list of establishments to target. Ask them which restaurants and other establishments they know are serving alcohol-to-go drinks.
 - Coalition members should be the ones to contact local establishments.
4. Young people can also help speak to establishments about this initiative. This is a great prevention project in which to engage YES groups or other youth groups in your region.
 - Youth could develop a social media campaign to go along with the project roll out – why they think it's a good idea for restaurants to get involved and seal alcohol.
 - Youth could also consider a photo voice story about why limiting access to alcohol is a positive thing for youth.
 - Sample script that could be adapted for over the phone, in an email/letter, or in person:

My name is ____ and I'm participating in the Alcohol: Keep a Lid on It project. This project is geared to raising public awareness about underage drinking and youth access to alcohol. We are asking your (by-the-drink establishment, restaurant) to utilize two labels that have been created to better indicate that alcohol-to-go drinks contain alcohol and to more effectively seal them. Alcohol-related deaths and injuries among young people in our community are all too common. As an (owner/manager/employee) of a (by-the-drink establishment, restaurant), you have a unique opportunity to partner with us to reduce underage drinking and take actions to prevent impaired driving tragedies from happening in our community. We look forward to working with you in this campaign to prevent adults from providing alcohol to local youth.

5. There are things to keep in mind when ordering labels.
 - Remember that not all restaurants are selling cocktails to go, and restaurant chains may be harder to get on board.
 - Depending on what they are serving, allow restaurants to decide if they want one label or both.
 - Get an idea of how many to-go cocktails a restaurant sells in a month to determine how many stickers to give them.
6. Additional information about the law enacted on March 17, 2021.
 - The bill proposed by Senator John Schickel Full text is available here: <https://apps.legislature.ky.gov/recorddocuments/bill/21RS/SB67/bill.pdf>
 - This bill allows alcohol to be purchased to go or for delivery in conjunction with a meal by quota retail drink licensees, non-quota type 2 licensees, small farm wineries & other restaurants. The bill makes the COVID-19 Governor's temporary Executive Order permitting alcohol-to-go sales permanent.