



DISTILLED SPIRITS COUNCIL OF THE UNITED STATES

April 3, 2024

House Business Affairs & Labor Committee
Colorado State Capitol
Denver, CO 80203

Dear Honorable Members of the House Business Affairs & Labor Committee:

This testimony is submitted on behalf of the Distilled Spirits Council of the United States, a national trade association representing distilled spirits producers large and small in the United States – including many here in Colorado - in support of SB20.

The proposed legislation would remove the sunset date on current law allowing bars, restaurants and local distilleries to sell cocktails to-go with a food purchase. Current law requires any alcohol sold for carryout or delivery to be in a securely sealed container that prevents consumption without the removal of a tamper-evident lid, cap or seal.

As you know, cocktails to-go were allowed on a temporary basis during the pandemic to support struggling hospitality businesses which represent more than 100,000 jobs across Colorado. According to the National Restaurant Association, about 70% of full-service restaurants sell cocktails to-go, and more than 90% of those that allow cocktails to-go plan to continue the practice as long as it is allowed. Now, cocktails to-go have become a regular part of takeout dining for adult consumers in addition to providing stability for hospitality businesses as they continue to recover from the lasting impacts of COVID-19. These businesses still face challenges including supply chain disruptions, staffing shortages and inflation. The temporary approval of cocktails-to-go provided a meaningful source of revenue to the many struggling bars, restaurants and distilleries across the state of Colorado, and extending those privileges has become integral in business practices and long-term growth.

Colorado is one of many states that has seen the benefit of the practice and is now considering making this business- and consumer-friendly measure permanent. Since the beginning of the pandemic, 26 states and the District of Columbia have enacted laws to permanently allow cocktails to-go, and seven others enacted laws that extend the sale of cocktails to-go on a temporary basis.

From the standpoint of responsibility, the Distilled Spirits Council of the United States and the spirits industry as a whole are committed to responsible consumption and encourage moderation for adults who choose to drink alcohol. As the legislation and regulatory guidance makes clear, cocktails to-go are intended for home consumption and all laws governing alcohol consumption and the prohibitions on drinking while driving must always be observed.

The future of the hospitality industry will be dependent upon many factors outside of the control of licensees, and this practice is something we believe is valuable to their continued recovery and long-term growth. We encourage the committee to support this important legislation and provide Colorado's hospitality businesses with this measure of certainty for the future of their operations.

We appreciate your consideration of our views regarding SB20.

Sincerely,

A handwritten signature in black ink that reads "Ainsley Giglierano". The signature is written in a cursive style and is positioned above a horizontal line.

Ainsley Giglierano
Vice President Public Affairs & State Policy
Ainsley.Giglierano@DistilledSpirits.org