

**STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

**AN 2020-03 – ADVISORY NOTICE TO INDUSTRY INTERESTS OPERATING  
DURING COVID-19 EMERGENCY**

The Division of Alcoholic Beverage Control (the “Division”) is issuing the following guidance to the industry and to law enforcement agencies to clarify acceptable operations following the issuance of Governor Murphy’s Executive Order No. 107 (2020) (“EO No. 107”). This guidance represents the Division’s interpretation of EO No. 107, which Governor Murphy signed on March 21, 2020 in response to the public health hazard posed by the novel Coronavirus disease 2019 (“COVID-19”). EO No. 107 supersedes the operative paragraphs in Executive Order No. 104 (March 16, 2020). In the event there is a conflict between this Advisory Notice and any Executive Order, the applicable EO shall control.

1. **Only licensed establishments may sell alcoholic beverages.** Licensed bars and restaurants, holding either a “32”, “33”, “34”, “36”, or “40” license, may be open during their posted normal business hours, but may only sell food and alcoholic beverages in original sealed containers from their principal public barrooms for customer pick up or delivery. If these licensees deliver alcoholic beverages to consumers’ homes, they must obtain a transit insignia from the Division or use an otherwise licensed entity authorized to transport alcoholic beverages. No sales of hard liquor or spirits are permitted to be sold by any of the aforementioned licensees after 10:00 PM pursuant to N.J.A.C. 13:2-38.1(b)(2).
2. **No licensee with a retail consumption privilege may sell, serve or deliver alcoholic beverages for on-premises consumption.** This means that no table, bar, or tasting room service is permitted by any holder of a liquor license until further notice. In addition, no licensee may sell, serve or deliver alcoholic beverages in open containers.
3. **Social clubs.** Paragraph 9(g) of EO No. 107 requires that all public and private social clubs, whether or not they serve alcohol, (“31” licenses) be closed to the public.
4. **Concessionaire permits.** Holders of State concessionaire permits (or annual State permits) (“14”) must request permission to sell alcoholic beverages in original sealed containers for off-premises consumption, and such permission will be granted upon a finding by the Director of “good cause.” See N.J.A.C. 13:2-5.2(g). Requests for relief shall be liberally construed during the duration of the public health emergency, and shall be granted on an expedited basis. If such sales are permitted, the permittee must obtain a transit insignia from the Division or use an otherwise licensed entity authorized to transport alcoholic beverages.
5. **Manufacturing licenses.** Holders of limited brewery licenses (“11”), restricted brewery licenses (“08”), plenary (“21”) and farm winery (“22”) licenses, craft distillery licenses (“07”), and cidery and meadery licenses (“02”) may sell alcoholic beverages in original sealed containers from their tasting rooms for customer pick up during their posted normal