

# DIVISION OF ALCOHOL AND TOBACCO CONTROL

**Michael L. Parson**  
Governor

**Sandra K. Karsten**  
Director, Public Safety



**Dorothy E. Taylor**  
State Supervisor

## INDUSTRY CIRCULAR

### Emergency Waiver – Alcohol Returns

Issued April 28, 2020

The Division is temporarily suspending certain portions of section 311.070, RSMo, and 11 CSR 70-2.190, which restrict retailers from returning alcoholic beverages to wholesalers. The effect of this action is as follows:

- **Returns of intoxicating liquor with alcohol content of less than five percent by weight:** Section 311.070.4(18), RSMo, has been suspended so that wholesalers may, but shall not be required to, withdraw, with the permission of the retailer, a quantity of intoxicating liquor with alcohol content of less than five percent by weight in its undamaged original carton from the retailer's stock and give the retailer credit against outstanding indebtedness for the product.
- **Returns of intoxicating liquor with alcohol content of greater than five percent by weight:** 11 CSR 70-2.190(1) and (7) has been suspended to the extent necessary to allow the Supervisor to approve returns of any intoxicating liquor, including malt beverages, containing alcohol in excess of five percent by weight at any time and for any reason.

Pursuant to this authority, the Supervisor grants preapproval so that wholesalers may, but shall not be required to, withdraw, with the permission of the retailer, a quantity of intoxicating liquor with alcohol content of greater than five percent by weight in its undamaged original carton from the retailer's stock and give the retailer credit against outstanding indebtedness for the product.

These actions will expire on June 15, 2020.

1738 E. Elm, Lower Level, Jefferson City, MO 65101

P.O. Box 837, Jefferson City, Missouri 65102-0837

Voice 573-751-2333; FAX 573-526-4369

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