



To-Go Cocktails Extension Triggering Continued Debate

Package Stores Raise Competition, Deregulation Issues

Katie Lannan 6/28/21 3:53 PM

JUNE 28, 2021.....Nearly two weeks after lawmakers agreed to continue allowing restaurants and bars to sell cocktails, beer and wine to-go, the battle over whether that's a good longer-term policy move for Massachusetts is still playing out.

Its latest venue was a virtual hearing of the Consumer Protection and Professional Licensure Committee, where Robert Mellion of the Massachusetts Package Stores Association warned of consequences and Sen. Diana DiZoglio touted benefits.

DiZoglio, a Methuen Democrat who has pushed for the takeout drinks measures as a way to help restaurants recover from the COVID-19 pandemic and associated shutdowns, filed a bill (S 196) that would extend the authorization for to-go beer, wine and mixed drink sales until June 15, 2023 -- two years beyond the end of the COVID-19 state of emergency.

Another bill (S 247), filed by Sen. John Velis, would permanently allow establishments with liquor licenses to sell beer and wine to-go.

Lawmakers and Gov. Charlie Baker authorized to-go alcohol sales last year when restaurant operations were largely limited to takeout and delivery. With most of the state's population now vaccinated against COVID-19 and economic and social activity picking up, a law passed earlier this month extended the authorization until next May.

Mellion asked lawmakers to "sensibly stop with these moves toward deregulation, and put an end to drinks to-go after the provisions expire next year." He said there are "real, tangible consequences to expanding alcohol outlets in the state."

He said the language applies not just to restaurants but also to breweries, tap rooms and distilleries, so that businesses licensed under different sections of state law are "intermingling and competing against one another."

"We have now created thousands of additional outlets for serving alcohol off the premises, and it is having an impact," he said. "It is having an impact on the retail trades. It is creating unnecessary competition between off- and on-premises and producers. It is leading to vertical integration, which is creating additional problems in this industry."

Mellion said there have also been health and substance-abuse effects both in Massachusetts and around the country. He referenced a RAND Corporation study [that tracked](#) a 14 percent increase in frequency of alcohol consumption during the COVID-19 pandemic compared to the prior year, and, among women, a 41 percent increase in days of heavy drinking.

DiZoglio, the only other person to testify on to-go drinks legislation, pushed back against Mellion's testimony, calling it "disgraceful" to "shift the blame for substance use disorder" onto restaurants.

"I think if the gentleman before me has some challenges with alcohol being used in the commonwealth at all, and he's serious about that, he probably wouldn't be representing the package store industry and trying to monopolize the sale of alcohol in the commonwealth," she said.

Rep Tami Gouveia, a member of the committee, asked Mellion to provide the lawmakers with copies of the research he mentioned. She said she wanted to better understand the data and see if it was to-go drink sales that contributed to the increase and if researchers considered factors like more time at home.

"In my circles, particularly being a woman in my 40s, knowing how much women and moms have struggled through the pandemic, I'm not so sure that they're accessing their alcohol from the restaurants and then taking it to go," she said, suggesting that those people are "probably visiting lot of the folks who are members" of the package store association.

Mellion told her he would send the study to the committee. He said it cites loosened regulations, "and the only loosening of regulations that have been going on throughout the pandemic was cocktails to-go."

DiZoglio is set to appear Monday night at a "Cocktails for Commonwealth" event at the East Boston bar The Quiet Few, celebrating the extension of to-go alcohol sales through May 1. Responding to a question from Rep. Jake Oliveira, DiZoglio said her intention "is eventually to see this become permanent." She said she filed for a two-year extension because she thinks it will "take at least two years, at least, for these restaurants to get back to a state where they're thriving again."

She asked her colleagues to engage with their local restaurants "on how important this is and how much revenue it can generate, how much it's been helping them, and how much residents actually are enjoying this new addition to our restaurant community."

"They've been telling us how much of a tremendous impact this has had on them," she said.

"They have told us that they've been able to keep employees on the payroll, keep their lights on, pay their rent, pay their back rent."