

# From Quarantine to "Quarantinis":

**Impacts of Pandemic-Related Alcohol Consumption on Policy and Prevention** 



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Washington State Prevention Summit November 2, 2021

# PRESENTATION OVERVIEW

- Why Do We Care About Alcohol?
- Terms & Definitions
- Home Delivery Pre-COVID-19
- Legal Foundation
- Changing Alcohol Laws Due to COVID-19
- Alcohol Trends & Impact of COVID-19
- Moving Forward From Here



# WHY DO WE CARE ABOUT ALCOHOL?

Excessive Alcohol Consumption is a Serious Public Health Problem!

#### Excessive alcohol consumption is...









#### **EXCESSIVE ALCOHOL USE IS RISKY**

#### It is associated with...

- Crime
- Sexual Assault
- Violence
- Falls

- Burns
- Motor Vehicle Crashes
- Sexually-Transmitted Diseases
- And more...



#### **EXCESSIVE ALCOHOL USE IS DEADLY**

# It is the 4th leading preventable cause of death in the US





#### **EXCESSIVE ALCOHOL USE IS DEADLY**

#### Alcohol-related chronic diseases include:

- Cancers
- Epilepsy
- Diabetes
- Stroke

- Liver Cirrhosis
- Coronary heart disease
- Fetal alcohol spectrum disorder
- And more...



#### **EXCESSIVE ALCOHOL USE IS COSTLY**

- In 2010, alcohol misuse cost the United States \$249 billion, with 3/4 of that cost related to binge drinking
- Underage drinking cost the US almost 10% of that cost (\$24.3 billion)

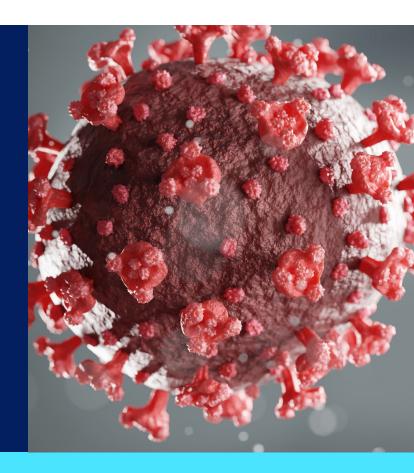


## CONSUMPTION & HARMS HAVE BEEN INCREASING

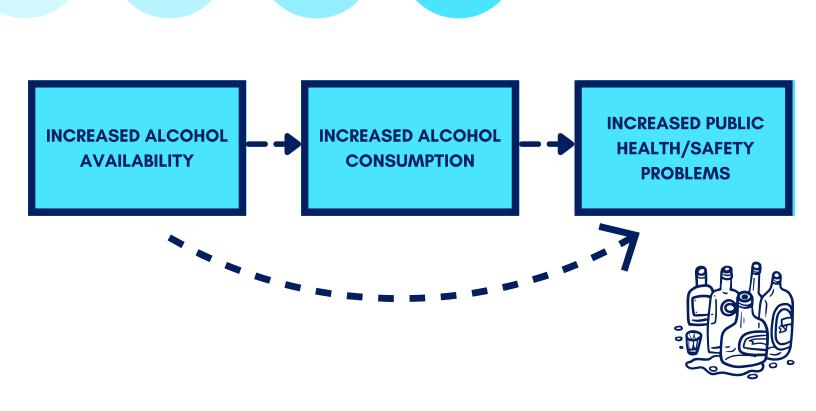
- Alcohol consumption is rising, along with alcohol use disorders
  - Biggest increases are among women, older adults, racial/ethnic minorities, individuals w/lower educational levels & family incomes
- Alcohol-related harms are also increasing



Persons with an alcohol-use disorder have increased susceptibility to respiratory pathogens and lung injury, including 2x - 4x greater risk of acute respiratory distress syndrome (ARDS), a key cause of death in COVID-19



"Alcohol consumption is associated with a range of communicable and noncommunicable diseases and mental health disorders, which can make a person more vulnerable to COVID-19. In particular, alcohol compromises the body's immune system and increases the risk of adverse health outcomes. Therefore, people should minimize their alcohol consumption at any time, and particularly during the COVID-19 pandemic."

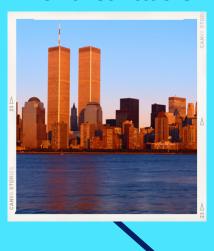


#### What have we learned from prior events?

Those who experience periods of economic or psychological stress, often consume more alcohol, resulting in increased symptoms of alcohol abuse & dependence.

#### What have we learned from prior events?

#### **Terrorist Attacks**



#### **Natural Disasters**



#### **Sicknesses or Pandemics**



**Increased Alcohol Consumption** 

# TERMS & DEFINITIONS

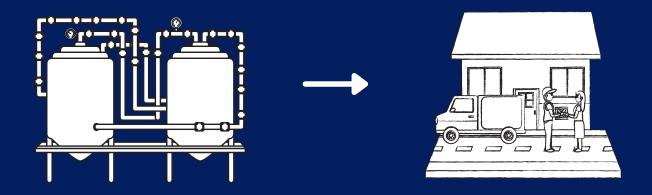
#### The Three-Tier System

The US alcohol regulatory system which separates each tier of the sales process so no one company can unduly influence multiple tiers.



#### **Direct-to-Consumer**

The ability of alcohol producers (i.e., breweries, wineries, and distilleries) to ship alcohol directly to consumers' homes.



#### **Home Delivery**



Restaurants, bars, or retailers delivering alcohol to consumers' homes through either the use of their own employees or through a third-party delivery system.

#### **Curbside Delivery**



Consumers purchasing alcohol from a restaurant, bar, or retailer and having the business bring it to the consumers without them having to leave their car.

#### **Drinks-To-Go**



Restaurants or bars selling a single serving of alcoholic beverages (usually distilled spirits) for consumption off the premises.

# HOME DELIVERY PRE-COVID-19

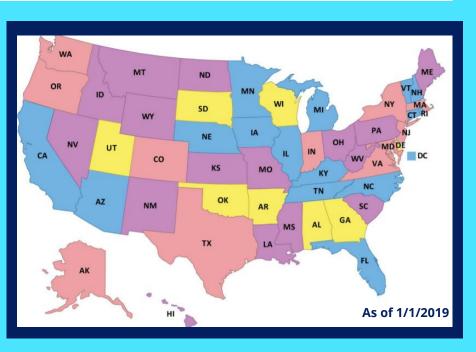
#### **STOP Act State Performance & Best Practices (SPBP) Report**



- Data is limited, but the SPBP Report tracks the ability of retailers to deliver alcoholic beverages to customers who are not present at their retail outlet
- As of January 1, 2019:
  - 21 states and DC permitted home delivery of all three beverages
  - The rest either prohibited delivery of some or all the beverages or have no law

https://www.stopalcoholabuse.gov

#### **Retailer Home Delivery of Beer**



Home Delivery Permitted (16)

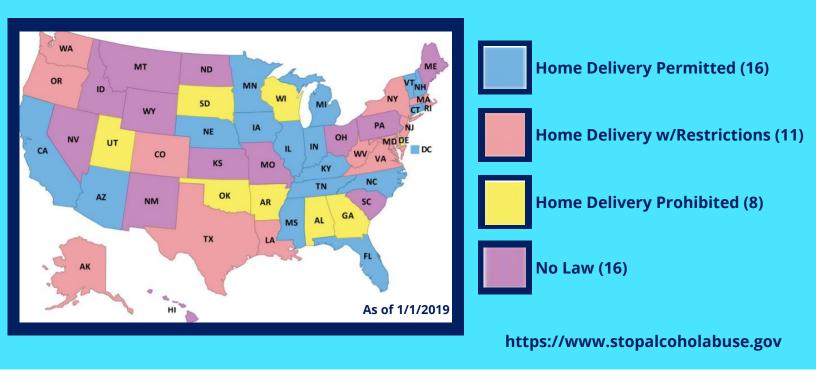
Home Delivery w/Restrictions (11)

Home Delivery Prohibited (8)

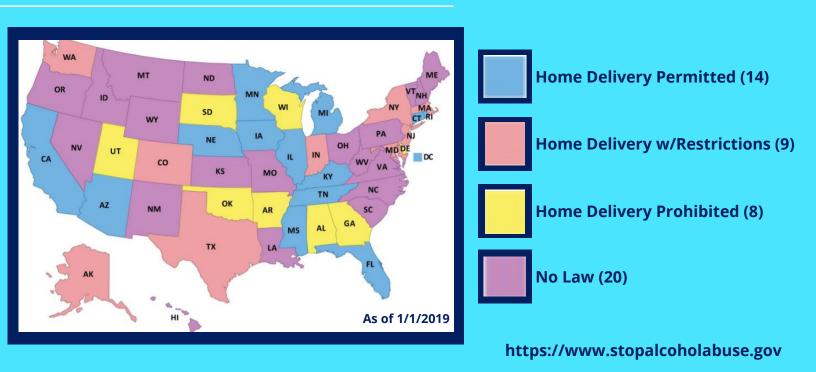
No Law (16)

https://www.stopalcoholabuse.gov

#### **Retailer Home Delivery of Wine**

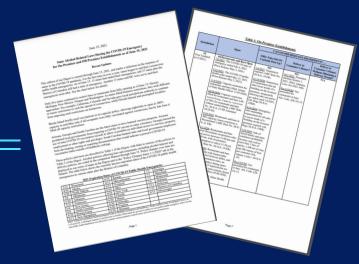


#### **Retailer Home Delivery of Spirits**



#### ALCOHOL POLICY INFORMATION SYSTEM (APIS)

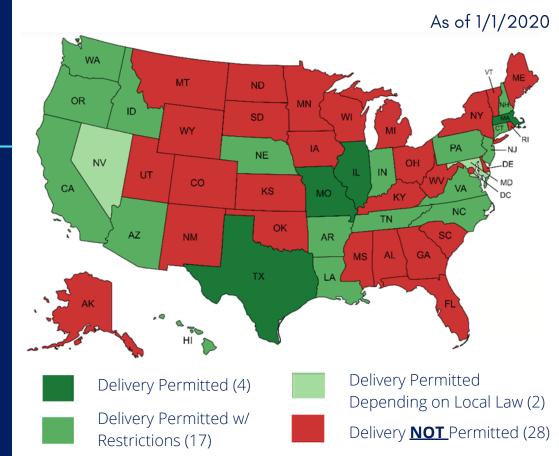
- During the pandemic, APIS expanded to include coverage of alcohol laws during COVID-19
- Tracked whether on-premises establishments could deliver to consumers' homes pre-COVID-19
  - 28 states did NOT permit restaurants or bars to deliver to consumers' homes



**APIS** 

Alcohol Policy Information System

# Delivery by On-Premises Establishments



https://alcoholpolicy.niaaa.nih.gov

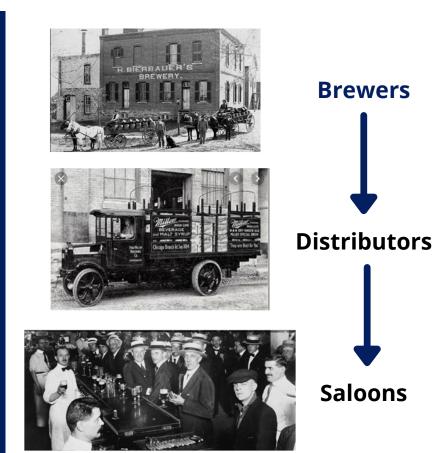
# LEGAL FOUNDATION



#### **PRE-PROHIBITION**

- Alcohol consumption in the U.S. was on the rise
- As a result, drinkers and their families suffered many alcoholrelated harms
- Saloons increased in number and in importance

# VERTICAL INTEGRATION OF THE ALCOHOL INDUSTRY



#### **18TH AMENDMENT: PROHIBITION (1919)**

"... Sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited."

#### 21ST AMENDMENT: REPEAL OF PROHIBITION (1933)

"Section 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited."

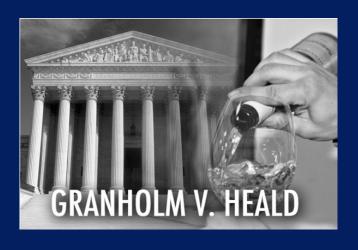
#### **U.S. Supreme Court & State Alcohol Regulation**



The 21st
Amendment

## The Commerce Clause

#### **GRANHOLM v. HEALD**



#### HEARD BEFORE THE SUPREME COURT

Supreme Court decided *Granholm v. Heald* in 2005

#### THE DECISION

The Supreme Court overturned state laws that permit instate but prohibit out-of-state wineries from directly shipping to consumers

#### THREE TIER SYSTEM

Granholm also reinforced that the three-tier system was "unquestionably legitimate" and that states could still rely on the 21st Amendment and public health rationales to support their laws.

# TENNESSEE WINE & SPIRITS RETAILERS ASSN v. THOMAS



retailers association

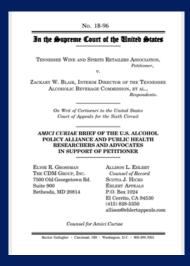








# TWSRA v. THOMAS



#### 22 AMICUS CURIAE BRIEFS...

Were submitted from a variety of interested parties, including state governments, consumer groups, and alcohol industry representatives

#### 1 AMICUS CURIAE BRIEF ...

Provided a public heath rationale for its support of the Tennessee Wine & Spirits Retailers Association.

#### IT WAS WRITTEN ON BEHALF...

Of the U.S. Alcohol Policy Alliance and public health researchers and advocates.



#### **DECIDED ON JUNE 26, 2019**

- Justice Alito wrote the opinion of the Court, and was joined by Justices Roberts, Ginsburg, Breyer, Sotomayor, Kagan, & Kavanaugh
- Justice Gorsuch wrote a dissent, and was joined by Justice Thomas

#### **SUPREME COURT HOLDING**

- Held that Tennessee's durational residency requirement was unconstitutional
- Explained that while states have the power to regulate alcohol, they may not discriminate against out-of-state interests in doing so



#### Potential Long-Term Consequences

- State courts will have to decide how to interpret this decision and apply it to current alcohol shipping cases
- Members of the alcohol industry will likely use this decision as the basis for challenging other alcohol-related public health laws
  - This may lead to an erosion of the three-tier system



#### **LEBAMOFF V. WHITMER**

#### THE STATUTE

In 2016, Michigan enacted a statute permitting licensed retailers (who had to be in-state) to offer home delivery

#### **CAUSE OF ACTION**

An Indiana retailer sued stating that the statute violated the Commerce Clause as it did not allow out-of-state retailers to offer home delivery

#### **LOWER CT DECISION**

In April 2020, the Sixth Circuit rejected the argument and upheld the statute as a valid exercise of the State's authority to regulate the importation of alcohol under the 21st Amendment

#### SUPREME CT DECISION

The Indiana retailers appealed the decision to Supreme Court and in January 2021, the Supreme Ct. declined to review the decision, thereby upholding Michigan's alcohol delivery laws



# CHANGING ALCOHOL LAWS DUE TO COVID-19

# MANY STATES CHANGED LAWS TO ALLOW...

- HOME DELIVERY
- CURBSIDE DELIVERY
- SALE OF DRINKS-TO-GO

#### This led to regulating the...

- Quantity of purchases
- Food requirements with sale of alcohol
- Types of containers
- Seals on containers
- Delivery drivers (e.g., age, training)
- Licensing requirements

#### SPECIFIC CHANGING ALCOHOL LAWS

#### **EXTENDING CREDIT, TAX FILING, & PAYMENT DEADLINES**

- Extending credit to retailers or allowing retailers to pay wholesalers with a credit card
- Extending tax filing and payment deadlines

#### CHANGING INSPECTIONS & USE OF EXPIRED ID CARDS

- Allowing for inspections to be done by telephone or remote means
- Allowing for visual inspection of identification cards to verify age without physically touching the cards
- Allowing the use of expired identification cards

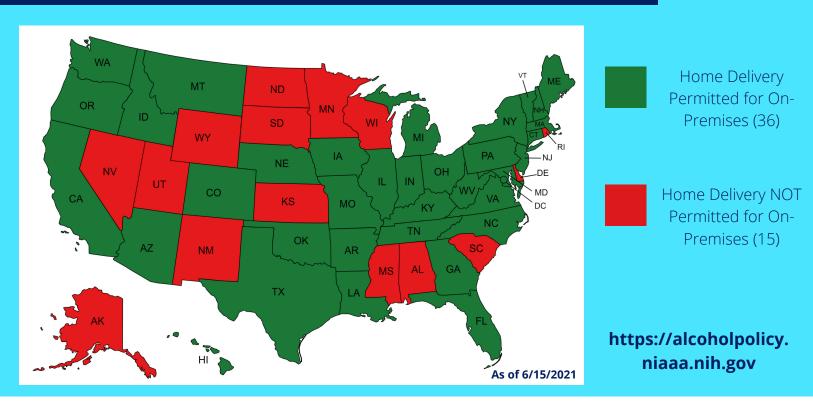
#### **WAIVING THE NEED FOR SIGNATURES**

 Waiving the need for signatures on deliveries between wholesalers and retailers or retailers and consumers

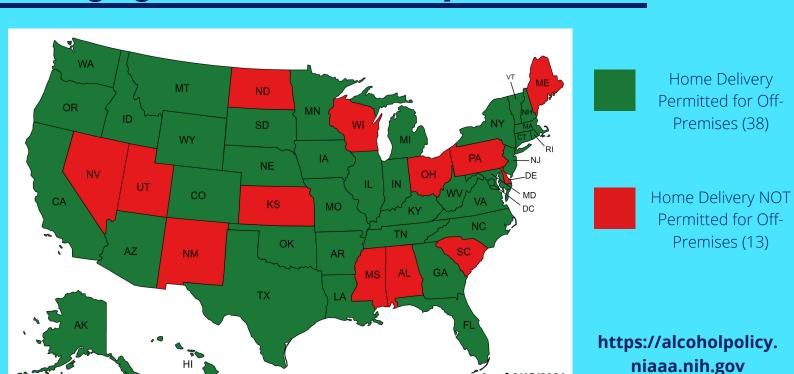
#### RELAXING ENFORCEMENT

 Relaxing enforcement of the prohibition of minors being present in restricted areas of licensed restaurants for licensees who have children under 16, if conditions are met, and the establishment is only engaging in curbside pickup, walk up window pick up, or delivery

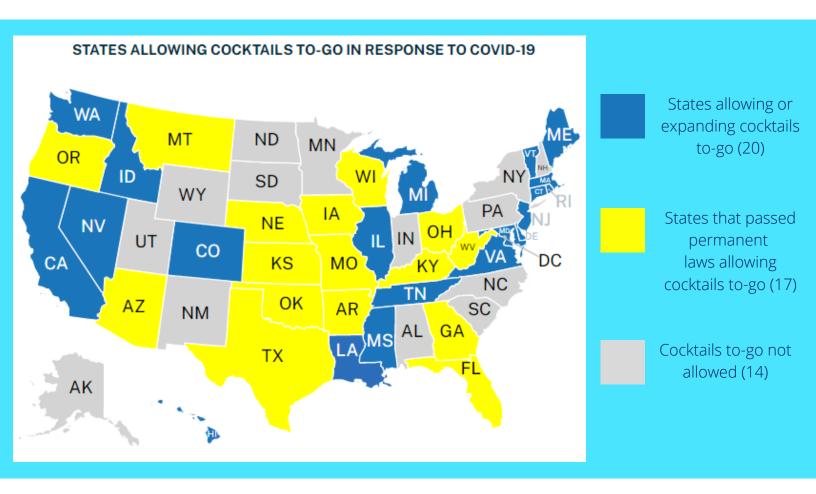
#### **Changing State Home Delivery Laws: On-Premises**



#### **Changing State Home Delivery Laws: Off-Premises**



As of 6/15/2021



## WHAT'S MISSING FROM THE LEGISLATIVE CONVERSATION?



Burden placed on administration & enforcement



Impact of increasing alcohol outlet density



Implications for product innvoations



Evaluation piece to monitor the impacts of these laws

# ALCOHOL TRENDS AND THE IMPACT OF COVID-19

I hope they give us a two week notice before sending us back into the world. I think we all need time to become ourselves again. And by "ourselves" I mean lose 10 pounds, cut our hair and get used to not drinking at 9 am.



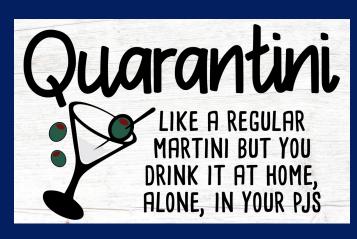


Half of us are gonna come out of this quarantine as amazing cooks and the other half are going to become alcoholics.

There is no in between.

#### The Quarantini









**Ina Garten's** "Quarantine Cosmopolitan"



Americans buying more alcohol during the coronavirus pandemic, but craft brewers are struggling

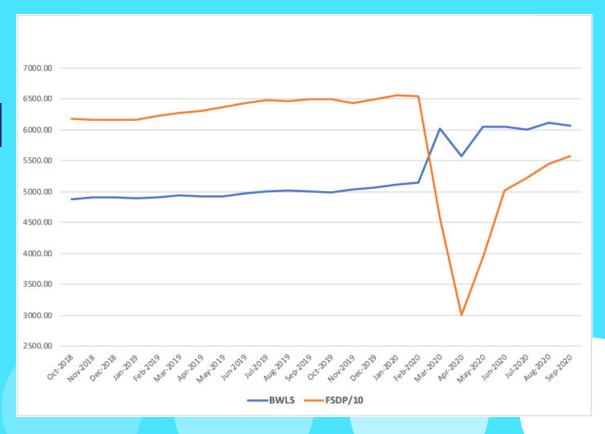
Alcohol trend? Sales soaring for light beers amid CORONAVIRUS COVID-19 pandemic

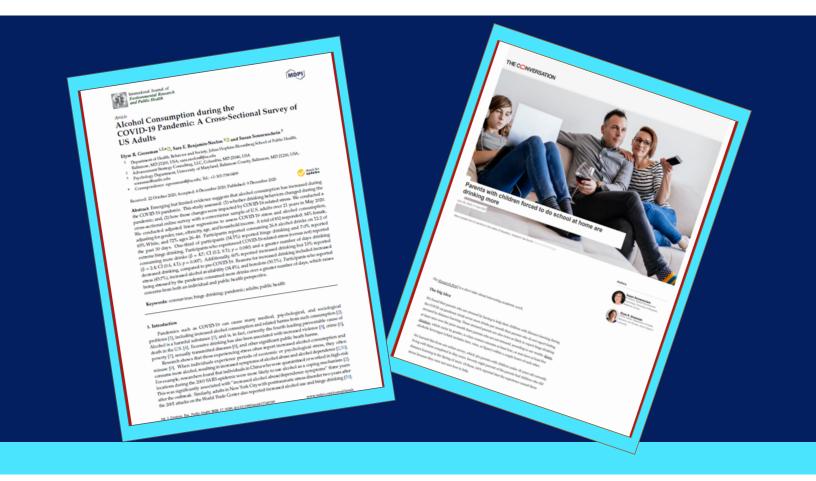
This is how America drinks now

Delivery orders are up. So is cheap wine.

By Rebecca Jennings | @rebexxxxa | Apr 15, 2020, 7:50am EDT

### Retail Alcohol Sales







#### **RESEARCH QUESTIONS**

- 1. What were the rates of US adult alcohol consumption during the early months of the COVID-19 pandemic?
- 2. Are US adults who were more impacted by COVID-19 pandemic reporting more alcohol consumption compared with those who were less impacted?
- 3. What percentage of US adults reported that their alcohol intake had changed in the past 30 days compared to their drinking behaviors prior to COVID-19 and why?
- 4. How were US adults obtaining their alcohol during the early months of the COVID-19 pandemic?
- 5. Did rates of US adult alcohol consumption differ depending on whether at least some of the alcohol was delivered to their homes?

#### **OUR STUDY**



Help researchers at the University of Maryland, Baltimore County assess alcohol consumption during the COVID-19 pandemic to better understand how the stress of COVID-19 is impacting our lives and our drinking patterns.

Complete a short online anonymous survey and enter to win a \$25 gift

https://bit.ly/alcoholandcovid19



#### THE SURVEY

61 online questions (29 demographic questions, 18 related to alcohol consumption, 14 related to stress or lifestyle changes during COVID-19)

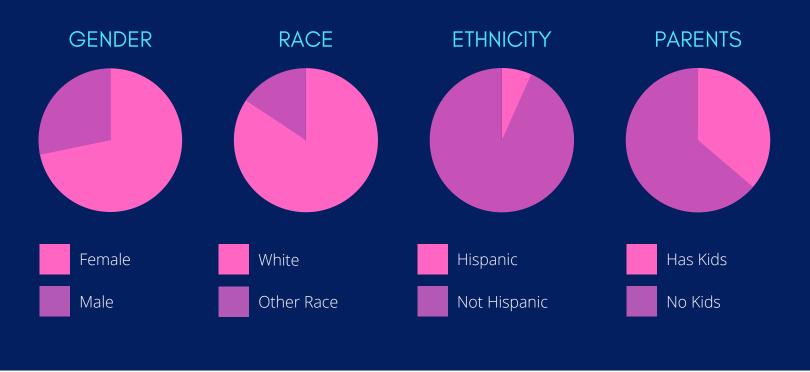
#### DISTRIBUTION OF THE SURVEY

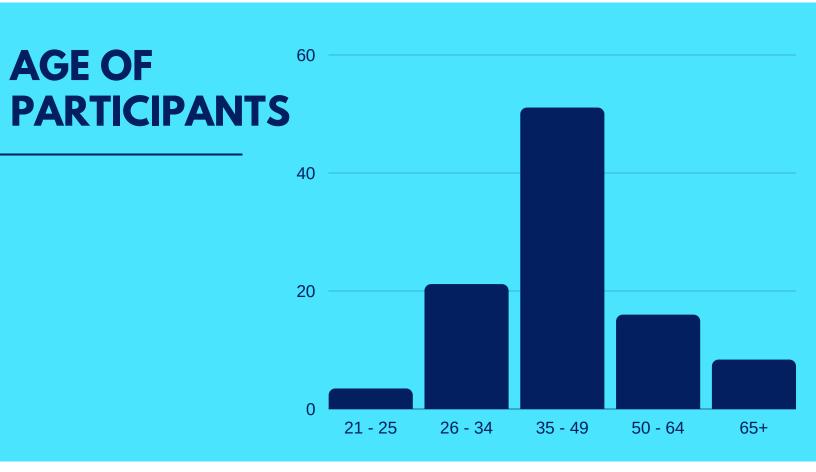
Recruited participants from across US through social media posts and emails sent via group listservs in May 2020

#### **PARTICIPANTS**

998 people from across the U.S. who were 21 years of age or older accessed survey; 838 remained in final sample

#### **DEMOGRAPHICS**





#### **RATES OF CONSUMPTION**

- Participants during COVID-19 consumed alcohol on an average of 12 days and 27 drinks over the past 30 days
- 34% reported binge drinking
- 7% reported extreme binge drinking

https://www.mdpi.com/1660-4601/17/24/9189





#### **IMPACT OF STRESS**

- Participants who experienced "very much" or "extreme" stress due to COVID-19 consumed significantly more alcohol than participants who did not report these high levels of stress
- Top concerns during COVID-19 included:
  - Having to socially distance (77%)
  - Having to spend less time with family members and friends (60%)
  - Schools and daycares being closed (47%)



#### **IMPACT OF STRESS ON PARENTS**

Parents who were stressed by having to help their children with distance learning during COVID-19 report drinking more

#### **PARENTS & BINGE DRINKING**

These stressed parents were also 2x more likely to report binge drinking than parents who were not stressed

https://theconversation.com/parents-with-childrenforced-to-do-school-at-home-are-drinking-more-143164



#### **DRINKING PATTERNS**

60%

- •Increased stress
- •Increased availability of alcohol
- •Boredom

13%

- •Diminished alcohol availability
- •Less free time
- •Less money



#### **Methods of Obtaining Alcohol**



#### HAD SOME OF THEIR ALCOHOL DELIVERED

21% had at least some alcohol delivered

#### ALCOHOL WAS ALREADY AT HOME

69% had at least some alcohol at home

#### ALCOHOL WAS PURCHASED IN-PERSON

72% had purchased at least some alcohol in-person

### Impact of Home Delivery

- Adults who obtained at least some of their alcohol via delivery, reported consuming significantly more alcohol (both number of days and number of drinks) than participants who obtained alcohol through other means
- Were also 2x more likely to report engaging in binge drinking than participants who obtained alcohol through other means





#### **CONCLUSIONS**

Previous research has taught us two things which have been proven true by the COVID-19 pandemic

- 1) When alcohol is more available, there is more consumption and related harms
- 2) When adults experience greater sociological / economical / financial stress, they consume more alcohol

#### **FUTURE STUDIES ARE NEEDED THAT...**

- Continue to examine rates of alcohol consumption in 2-3 years when we would expect to see an even greater impact
- Delve into policy differences by state and the impact of these changing policies on alcohol consumption
- Assess the rate of underage alcohol consumption during COVID-19
- Examine the impact of changing home delivery laws on underage alcohol consumption

# MOVING FORWARD FROM HERE

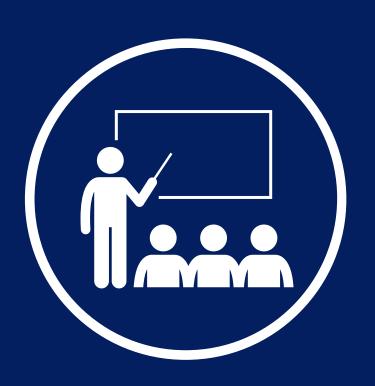
#### The 4 T's











## TRAIN



TRACK



## **TEST**



# TRANSLATE



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