

LEGALLY SPEAKING

INFUSED & PREMIXED DRINKS

With the passage and signing of House File 2465, the mixing, storing, and dispensing of mixed drinks, cocktails and alcohol infusions which are not for immediate consumption (herein referred to as premixed drinks) became legal July 1, 2012, for on-premises liquor licensees. However, the new language stipulates premixed drinks must be in compliance with the Iowa Code section 123.49(2)"d"(2) and rules adopted by the Alcoholic Beverages Division (ABD).

The ABD filed and adopted rules which were effective July 1, 2012. The rules define "immediate consumption" to mean the mixing and fulfilling of a mixed drink or cocktail order only after receiving the order. Licensees who intend to serve premixed drinks should become familiar with the following rules to ensure compliance with Iowa regulations.

A liquor licensee must:

- Utilize alcoholic beverages in the premixed drink which are authorized by the license and obtained through the three-tier system,
- Comply with all applicable state and federal food safety regulations, and
- Comply with all federal alcohol regulations.

A liquor licensee cannot:

- Add hallucinogenic substances, added caffeine or stimulants, or controlled substances to a premixed drink.

A premixed drink batch must be:

- Disposed of within 72 hours of mixing,
- Mixed, stored, and consumed on the licensed premises, and

- In a labeled container that is compliant with state and federal food safety statutes.

A premixed drink batch cannot be:

- More than three gallons,
- Removed from the licensed premises,
- Mixed, stored, or dispensed from an original package of liquor or wine, or a container bearing an alcoholic beverage name brand, and
- Added to a relabeled empty container or another premixed drink batch if expired.

Label requirements

A label is required to be on each container that holds a premixed drink batch. The label must adhere to the container, in a noticeable place, until the entire contents are dispensed or destroyed.

The label must legibly identify:

- The date and time of mixing alcoholic beverages with nonalcoholic ingredients in the container,
 - The date and time the contents expire,
 - The title of the recipe used for the contents,
 - The size of batch, and
 - The person who prepared the contents.
- Each label must be marked clearly with the words "CONTAINS ALCOHOL."

Record keeping requirements

Records must be maintained for three years on each prepared batch of premixed drinks.

The records must identify:

- The date and time of mixing alcoholic beverages with nonalcoholic ingredients

in the container,

- Each alcoholic beverage, including the brand and amount used in the batch,
- Each nonalcoholic ingredient used in the batch,
- The recipe title and directions,
- The size of batch,
- The person who prepared the contents,
- The date and time the contents were destroyed or entirely consumed,
- If not consumed, the method of destruction, and
- The person who destroyed the contents.

Dispensing machines

A dispensing machine that contains a premixed drink is required to follow the labeling, record keeping, and disposal requirements. Licensees who use a dispensing machine that contains a non-alcoholic premix, and add alcoholic beverages after receiving and dispensing a customer order for the beverage, are not required to label the container or maintain records.

Violations

A failure to comply with the above rules will result in a fine, license suspension, and/or license revocation.

Licensees may access label, record keeping and recipe log templates at <https://abd.iowa.gov/alcohol/infused-and-premixed-drinks>.

