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Personnel - General
ALCOHOLIC BEVERAGES

FOR THE COMMANDER:

OFFICIAL:

ADAM W. HILBURGH
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Chief of Staff

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Summary. The senior leadership from the Maneuver Support Center of Excellence (MSCoE) encourages responsible and mature behavior in the consumption of alcoholic beverages and the prevention of alcohol abuse. This regulation will prescribe the policies and procedures for the control of alcoholic beverages on the installation including all military units, tenant activities and civilian agencies on Fort Leonard Wood (FLW).

Applicability. The provisions of the regulation are applicable to members of the command and their Family Members, to include members of foreign armies, the U.S. Army Reserve, the Army National Guard, Department of the Army Civilians, and any individual eligible to patronize on-post facilities selling packaged and/or by-the-drink alcoholic beverages.

Proponent and execution authority. The proponent of this regulation is the Army Substance Abuse Program (ASAP) Office, Directorate of Human Resources (DHR), Directorate of Family and Morale, Welfare, and Recreation (DFMWR), United States Army Garrison (USAG), Installation Management Command (IMCOM).

Supplementation. Supplementation of this regulation is prohibited without prior approval from the ASAP, DHR, DFMWR.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Directorate of Family and Morale, Welfare, and Recreation, ASAP Office, 14060 Replacement Avenue, Bldg. 486, Fort Leonard Wood, Missouri 65473.

Distribution. Electronic medium only and posted on the FLW website.

Table of Contents

	Para	Page
Chapter 1. Introduction		
Purpose.....	1-1	1
References.....	1-2	1
Explanation of Abbreviations and Terms	1-3	1
Records Management	1-4	1
Chapter 2. Responsibilities		
Commanders.....	2-1	1
ASAP Manager.....	2-2	2
DFMWR.....	2-3	2
Exchange General Manager and Commissary Director.....	2-4	2
Chapter 3. Authorization to Purchase, Possess, or Consume Alcoholic Beverages		
Age Requirements	3-1	2
Alcohol Consumption During Normal Duty Hours.....	3-2	2
Privately Purchased Alcoholic Beverages	3-3	2
Prohibited Acts	3-4	3
Civilian Employees	3-5	3
Chapter 4. Alcohol Sales Procedures		
Sale of Alcoholic Beverages	4-1	4
Taxation	4-2	4
Employment of Personnel	4-3	4
Appendix A		5
Appendix B		6
Glossary		7

Chapter 1

INTRODUCTION

1-1. Purpose This regulation, in conjunction with Army Regulation 215-1, Military Morale, Welfare and Recreation Programs and Nonappropriated Fund instrumentalities, Chapter 10, establishes policy, prescribes procedures, and assigns responsibilities for the responsible use of alcoholic beverages on the installation, to include subordinate organizations and tenant activities. The introduction, sale, possession, use, and transportation of alcoholic beverages are permitted on the installation only to the extent and in such a manner as is authorized by this regulation and AR 215-1. Violations of this regulation are unlawful and may subject the offender to adverse administrative action or punishment under the Uniform Code of Military Justice (UCMJ).

1-2. References Required and related publications; and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of Abbreviations and Terms Abbreviations and terms used in this regulation are explained in the glossary.

1-4. Records Management Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2, The Army Records Information Management System (ARIMS) and DA Pam 25-403, Guide to Recordkeeping in the Army. Record titles and descriptions are available on the Army Records Information Management System website (<https://www.arims.army.mil>).

Chapter 2

RESPONSIBILITIES

2-1. Commanders

a. Will use technical assistance and advice from the Army Substance Abuse Program in order to establish policies within their units and conduct programs to discourage the irresponsible use of alcoholic beverages.

b. Conduct applicable activities so as to comply with this regulation.

c. Encourage moderation and take appropriate actions to correct irresponsible behavior. If a commander chooses to use alcoholic beverages, he/she will set the example for subordinates.

d. Ensure that consumption of alcoholic beverages is not a mandatory portion of any official ceremony. Toasting, if any, will be moderate. Provide those who prefer not to drink alcoholic beverages with a choice between an alcohol beverage and a palatable nonalcoholic beverage.

e. In order to include the Service members under 21 years of age for celebrations and fellowship, consider the following options Pershing Community Center, Nutter Field House and John B. Mahaffey Museum Complex. Do not hold events in establishments authorized to sell alcohol by the drink.

f. Provide continuous, aggressive, and flexible alcohol abuse education and prevention programs to personnel in accordance with AR 600-85, The Army Substance Abuse Program. Educational programs should emphasize responsible attitudes and behavior toward the use of alcoholic beverages. Obtain technical guidance and assistance from the Army Substance Abuse Program office. The intent is not to glamorize the use of alcoholic beverages.

g. Battalion commanders may authorize alcoholic beverages in troop billets (except basic and advanced individual training (AIT) billets) for Service Member's 21 years of age and older. Personal responsibility is the key. When any Service Member, married or single, abuses the privileges regarding possession or consumption of alcoholic beverages, the Commander, in coordination with trial counsel, may take action to withdraw or suspend such privileges.

2-2. The Army Substance Abuse Program (ASAP) Manager

a. Provide substance abuse prevention and education for Service members and Civilians in accordance with (IAW) AR 600-85.

b. Serve as an advisor to commanders on matters pertaining to alcohol consumption.

2-3. Director of Family and Morale, Welfare, and Recreation (DFMWR)

a. Prohibit the sale of alcoholic beverages to those personnel not authorized to purchase them. Require identification when the eligibility of customer is in question.

b. Ensure that personnel employed are at least 18 years of age to serve alcoholic beverages, but may not pour, mix or serve 'across the bar'. Ensure that all bartenders are 21 years old. A manager over 21 years of age must be present at all times.

c. Display required signage in facilities authorized to sell alcoholic beverages.

2-4. The Exchange General Manager and Commissary Director

a. Prohibit sales of all alcoholic beverages to individuals not authorized to purchase them. Require identification of customer.

b. Ensure that personnel employed to sell and bag alcoholic beverages are at least 21 years of age.

c. Display required signs in those facilities authorized to sell alcoholic beverages.

Chapter 3

AUTHORIZATION TO PURCHASE, POSSESS, OR CONSUME ALCHOLIC BEVERAGES

3-1. Age Requirements The minimum age for all persons for purchasing, drinking, or possessing alcoholic beverages to include low content alcoholic beverages is 21 years of age.

3-2. Alcohol consumption during normal duty hours Requests to serve alcohol at social gatherings during normal duty hours will require authorization from the Commanding General. Requests will be submitted utilizing the format at Appendix B.

3-3. Privately purchased alcoholic beverages Individuals will not bring privately purchased alcoholic beverages into any on-post facility where alcohol is served. Installation clubs may grant exceptions to authorized patrons to bring lawfully imported, duty-free alcoholic beverages for special commemorative occasions into the Pershing Community Center or other DFMWR facilities authorized to sell alcohol by the drink. These exceptions will be granted in writing by DFMWR Business & Recreation Chief at the time of contract signing. An uncorking fee may be applied.

3-4. Prohibited Acts The following acts are prohibited on FLW, for which violations are unlawful and may subject the offender to adverse administrative action, punishment under the UCMJ, and/or civil and criminal penalties as provided by State and Federal laws.

- a. Possession of alcoholic beverages by any person ineligible to purchase them.
- b. Introducing, possessing, or consuming alcoholic beverages in aircraft, vessels, vehicles, skill development facilities (auto repair), youth activity facilities, the library, The United Service Organization (USO) and Basic Combat Training barracks and Advanced Individual Training barracks.
- c. Consumption of alcoholic beverages while in a motor vehicle.
- d. Transporting open containers in a vehicle when the beverage is accessible to the driver or passengers.
- e. Sale or transfer of alcoholic beverages to any underage person.
- f. Sale or transfer of any alcoholic beverage to anyone demonstrating irresponsible behavior.
- g. Consumption of alcoholic beverages by military or Civilian personnel in a duty status during their official tour of duty unless authorized by the Commanding General IAW paragraph 3-2.
- h. Service members in duty uniform are prohibited from entering off-post facilities whose primary business is selling alcohol by the drink.
- i. All patrons of facilities on FLW will comply with all Federal, State, and Local laws in regard to alcohol consumption during the operation of water craft.

3-5. Civilian Employees

- a. No employee assigned to FLW shall present himself or herself for duty while voluntarily intoxicated from an alcoholic beverage. A state of intoxication shall mean that an individual is not able to operate in the sound mental or physical capacity required for his or her position. An employee may be considered intoxicated by default if he or she has a blood alcohol content (BAC) of .02 or above. To violate this provision, the employee must have known, or should reasonably have known, prior to voluntarily consuming an alcoholic beverage, that he or she had duties to perform that would be fundamentally hampered by their consumption.
- b. Supervisors of civilian employees who suspect their employee of being intoxicated should immediately contact an employee relations specialist in CPAC for advice and assistance when dealing with an employee who is apparently under the influence or intoxicated at work. He or she should also contact their servicing legal office and the Army Substance Abuse Program Manager IAW with AR 600-85.
- c. Consumption of an alcoholic beverage while in an on-duty status (during the work shift or tour of duty) is prohibited. On-duty status is determined by a commander, director, or supervisor and is not necessarily related to uniform wear or the normal duty hours of an installation command or directorate.

Chapter 4 ALCOHOLIC SALES PROCEDURES

4-1. Sale of Alcoholic Beverages

All facilities authorized to sell alcoholic beverages by the drink will conspicuously display the following notice, "Customers will consume, on the premises, alcoholic beverages purchased and opened before departure from the facility. Removal of opened, filled, or partially filled canned or bottled alcoholic beverages is prohibited."

4-2. Taxation Any Non-Appropriated Funds Instrumentalities (NAFI) activity selling alcoholic beverages must comply with the tax provisions of AR 215-1, paragraph 4, Section II.

4-3. Employment of Personnel The following applies to the employment of individuals who handle, sell and/or serve alcoholic beverages:

a. Individuals employed for the Exchange must be at least 21 years of age to sell and bag alcoholic beverages. Individuals employed for DFMWR are at least 18 years of age to serve alcoholic beverages and all bartenders are 21 years old.

b. Do not assign military personnel a military duty to handle or serve alcoholic beverages in club facilities. Enlisted personnel may be employed as NAFI personnel during off-duty hours in accordance with AR 215-3, Non-Appropriated Fund Personnel Policy.

c. Only NAFI employees will be given duties involving handling, selling, and/or serving alcoholic beverages in any government facility or Garrison public locations.

Appendix A

References

AR 25-400-2

Army Records Information Management System

DA PAM 25-403

Guide to Recordkeeping in the Army

AR 215-1

Military Morale, Welfare, and Recreation Activities and Non-Appropriated Fund Instrumentalities

AR 215-3

Non-Appropriated Fund Personnel Policy

AR 600-85

Army Substance Abuse Program

Appendix B

Request for Exception to Policy to Consume Alcoholic Beverages During Installation's Normal Duty Hours

(Organization Letterhead)

Unit Office Symbol

(DATE)

MEMORANDUM THRU Commander, (Brigade Name) Fort Leonard Wood, MO 65473

FOR Commander, Maneuver Support Center of Excellence, Fort Leonard Wood, MO 65473

SUBJECT: Request for Exception to Policy to Consume Alcoholic Beverages during Installation's Normal Duty Hours.

1. References.

a. AR 215-1, Military Morale, Welfare, and Recreation Activities and Non-appropriated Fund Instrumentalities.

b. FLW Regulation 600-85, Alcoholic Beverages.

2. Commander, (unit), requests exception to policy to consume alcoholic beverages during installation's normal duty hours. Information is the following:

a. Event: XXXX, Location: XXXX, Date: XXXX, Timeframe: XXXX.

b. Type of alcoholic beverages to be served: beer/wine/hard liquor.

c. Provide brief description of event:

3. Controls include:

a. Will not serve alcohol to Service members under the age of 21 at this event.

b. Will not allow alcohol to be sold to, purchased by, or purchased for Service members under the age of 21 from installation establishments that sell alcohol by the drink.

c. Provide transportation to home/barracks from event to those who consume alcohol.

d. Do not allow an individual to consume more than one 5-ounce serving of wine, one 12-ounce serving of beer, or 1½ ounces of 80% proof of liquor in 1 hour.

e. Allow only Service members in a non-duty status to consume alcoholic beverages.

f. The senior person present will ensure that all controls are met.

4. Point of contact is (name, telephone number).

Commander's Signature Block

Glossary

Section I Abbreviations

AAFES

Army and Air Force Exchange Services

ACS

Army Community Service

AIT

Advanced Individual Training

ARIMS

Army Records Information Management System

ASAP

Army Substance Abuse Program

BAC

Blood Alcohol Content

BCT

Basic Combat Training

DFMWR

Directorate of Family and Morale, Welfare, and Recreation

FLW

Fort Leonard Wood

IAW

In Accordance With

MSCoE

Maneuver Support Center of Excellence

NAFI

Non-Appropriated Funds Instrumentalities

UCMJ

Uniform Code of Military Justice

USO

United Service Origination

Section II Terms

Alcoholic Beverage: Potable beverage containing any amount of ethyl alcohol (wines, coolers, malt beverages, and distilled spirits).

Coolers: An alcoholic beverage obtained by mixture of malt beverage, wine, or liquor with either fruit juice or carbonated soda water, with less than five percent alcohol content by volume.

Malt Beverages: An alcoholic beverage obtained by fermentation of a malted cereal, with or without adding other starchy material. Malt beverages include beer, ale, and malt liquor.

Packaged Alcoholic Beverages: Malt beverages or coolers sold by the multiple bottle or can (six-pack or case) and bottled wines, and/or distilled spirits.

By-the-Drink Sales: Malt beverages sold in an opened bottle or can, pitcher, glass or cup; coolers sold by glass or open bottles; wines sold by the glass, cup or carafe; and distilled spirits apportioned by the glass or cup in either a pure or mixed form for on-the-premise consumption at the facility where the beverage was purchased.

Bona fide Guest: A person who is a house guest or a person whose presence as a guest is in response to an invitation for a specific occasion and for whom the host is willing to assume responsibility, including payment for services and products received.

Quarters: Installation living accommodations, including troop barracks, family housing, bachelor officers' quarters, and lodging facilities provided for transients.

Tour of Duty: Duty status for military personnel includes those duty hours established by supervisors and/or commanders and includes the meal period. Military personnel in uniform prior to 1630 on duty days are presumed to be on duty for purposes of this regulation. However, on-duty status is determined by a Service Member's commander and is not necessarily related to uniform wear or the normal duty hours of an installation. For Civilian employees, duty status includes those hours of their daily tour of duty.