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ILCC Files Emergency Rule Regulating Placement and Display of Co-Branded Alcoholic Beverages in Retail Establishments

*Emergency Rule Filed to Prevent Consumer Confusion Between
Alcoholic and Non-Alcoholic Beverages*

The Illinois Liquor Control Commission (ILCC) filed an emergency rule on May 26, 2023, to protect the public from confusion between alcoholic beverages and non-alcoholic beverages of the same brand and to prevent the marketing of alcohol to children. A “co-branded alcoholic beverage” is any alcoholic beverage containing the same or a similar brand name, logo, or packaging as a non-alcoholic beverage. The emergency rule applies to all establishments in Illinois that sell packaged alcohol for off-premises consumption.

Under the emergency rule, establishments with larger retail sales floors (exceeding 2,500 square feet) are prohibited from displaying co-branded alcoholic beverages immediately adjacent to soft drinks, fruit juices, bottled water, candy, or snack foods portraying cartoons or youth-oriented photos. Establishments with retail sales floors of 2,500 square feet or less must either: (1) comply with the display requirements for establishments with larger retail sales floors; or (2) post clear signage on every display that contains co-branded alcoholic beverages and is immediately adjacent to soft drinks, fruit juices, bottled water, candy, or snack foods portraying cartoons or youth-oriented photos.

The required signage can be downloaded from the ILCC website at this link: [Co-Branded Alcoholic Beverages Signage](#). Printed copies of the signage are also available at the ILCC’s Springfield and Chicago offices, Monday through Friday, 8:30 a.m. – 4:30 p.m.

“Mistaking alcoholic beverages for non-alcoholic beverages is especially dangerous for those under the age of 21 and individuals with alcohol use disorders,” **said Illinois Liquor Control Commission Executive Director Lisa Gardner**. “This emergency rule aims to safeguard public health by preventing product confusion and prohibiting alcoholic beverage marketing that appeals to children.”

Emergency rules may be submitted to the Secretary of State for consideration by the Joint Committee on Administrative Rules (JCAR) when an agency determines that a threat to public interest, safety, or welfare requires rules to be adopted in less time than would be needed to complete the full proposed rule process. Emergency rules go into effect within 10 days of filing and remain in effect for no more than 150 days. The ILCC has filed an identical rule under the JCAR proposed rule process with the intention of making the emergency rule permanent.

The ILCC's emergency rule is in effect as of May 26, 2023, and will expire on October 23, 2023.

Attachments

- [ILCC Emergency Rule – Co-branded Alcoholic Beverages](#)
- [Emergency Rule Notice – Co-Branded Alcoholic Beverages](#)
- [Co-Branded Alcoholic Beverages Signage](#)