



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
POSTAL SERVICE CENTER BOX 8003
CHERRY POINT, NORTH CAROLINA 28533-0003

ASO 1746.2A
MCCS
1 Jun 12

AIR STATION ORDER 1746.2A

From: Commanding Officer, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: CONTROL OF ALCOHOLIC BEVERAGES

Ref: (a) U.S. Navy Regulations 1990, Article 1162
(b) OPNAVINST 1700.16
(c) MCO P1700.24B
(d) MCO 1700.22E
(e) MCO P1700.27B

1. Situation. To establish policy and publish guidance on the use of alcoholic beverages aboard Marine Corps Air Station, Cherry Point per references (a) through (e). This Order is punitive in nature. Violations are punishable under Article 92, Uniform Code of Military Justice. Civilians may be subject to prosecution in Federal Court by the Special Assistant U.S. Attorney. All personnel will be familiar with the procedures and preventive measures to deter any misuse of alcoholic beverages.

2. Cancellation. ASO 1746.2.

3. Mission. To ensure the lawful sale, dispensing, possession, consumption and transportation of alcoholic beverages per Federal, State and local laws or regulations.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To ensure all military personnel, family members and DOD civilians are aware of the laws and regulations concerning the sale, dispensing, possession, consumption and transportation of alcoholic beverages aboard MCAS, Cherry Point.

(2) Concept of Operations. Commanding Officers, Provost Marshal, and the Director, Marine Corps Community Services (MCCS) will ensure military personnel, family members, MCCS employees in

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distribution is unlimited.

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activities that sell alcoholic beverages and DoD civilians are informed and held accountable for violations of this Order.

(a) Guidelines and Requirements

1. Alcoholic beverage includes any beverage containing at least one half of one percent (0.5 percent) alcohol by volume, including malt beverages, unfortified wines, fortified spirituous liquors and mixed beverages. Beverages containing less than one half of one percent (0.5 percent) alcohol by volume are considered, for the purposes of this Order, to be nonalcoholic beverages.

2. The minimum legal drinking age (MLDA) is 21 years of age. Sale is prohibited for any person to knowingly sell or give alcoholic beverages to anyone less than the MLDA. No activity engaged in the dispensing of alcoholic beverages, will employ or assign persons under the MLDA to dispense alcoholic beverages.

3. It is prohibited for any person less than the MLDA to purchase, possess or consume alcoholic beverages. It is prohibited for any person to use or attempt to use a driver's license or other identification issued to another person or an altered form of identification to obtain alcoholic beverages. Violation of this provision shall be grounds for revocation or suspension of driving privileges for up to 12 months, as well as other disciplinary or administrative measures.

4. It is prohibited for any person to permit the use of his/her driver's license by any other person to violate or attempt to violate the provisions of this Order. In addition to any other penalty imposed by this Order, violation of this provision shall be grounds for revocation or suspension of driving privileges for up to 12 months.

5. All persons engaged in dispensing alcoholic beverages will have the responsibility for determining whether a customer is above the MLDA per established positive identification procedures. This determination will be made at the time of sale.

6. Any person or facility that inadvertently sells or dispenses alcoholic beverages to a person discovered to be under the MLDA shall immediately attempt to recover the alcoholic beverages and notify the office of the Provost Marshal in all cases.

7. All persons and activities are prohibited from engaging in the sale of alcoholic beverages, except the following MCCS activities:

- a. Package Store/Seven Day Stores.
- b. Service Stations.
- c. Convenience Stores.

8. The sale and consumption of alcoholic beverages by the drink is authorized at the following MCCS activities. Additional MCCS activities may be granted authorization by the installation commander or Secretary of the Navy as required by reference (d).

- a. Miller's Landing Complex.
- b. The Shame.
- c. Golf Course Snack Bars.
- d. Bowling Center.
- e. Cunningham's Complex.
- f. Two Rivers Theater and Event Center.
- g. MCCS/Command sponsored events.

9. The possession or consumption of alcoholic beverages on government owned boats is not authorized. Possession or consumption is authorized for passengers in privately owned boats, but is not authorized for the operator of the boat.

10. No person will sell, dispense, or furnish alcoholic beverages to any person who is in an intoxicated condition.

11. The consumption of alcoholic beverages is prohibited during the time a person is in a duty status and during the period eight hours prior thereto. Duty status includes not only duty performed during normal working hours, but also any official duty performed outside normal working hours, such as duty section, guard duty, flight duty, operations duty, or any other specifically assigned duties.

12. All persons making purchases of alcoholic beverages at package sales or bulk sales stores are prohibited from using said purchases for the purpose of resale or barter.

13. It will be the responsibility of those activities selling or dispensing alcoholic beverages to establish positive identification procedures for all persons making such purchases. Employees will be cautioned that noncompliance with this Order may lead to disciplinary action including dismissal. The employee concerned will be afforded administrative due process and shall be granted all substantial rights as required by law.

14. Per reference (b), the possession and consumption of reasonable amounts of alcoholic beverages is authorized in quarters.

15. Possession and consumption of alcoholic beverages in designated picnic pavilions in and around bachelor enlisted quarters may be authorized on infrequent, non-routine occasions when an entire squadron, as a group, marks at a military installation a uniquely military occasion such as the conclusion of a deployment, hail and farewells, or in connection with the Marine Corps Birthday Ball.

16. Possession/Transportation/Prohibitions

a. Open Containers Outside Designated Areas. No individual shall possess any bottle, can or other receptacle containing any alcoholic beverage (that has been opened, or its seal broken) in places not authorized in this Order and under the conditions set forth herein.

b. Consumption in Motor Vehicles. No individual may consume any alcoholic beverage in a motor vehicle aboard MCAS, Cherry Point.

c. Transport of Open Container Prohibited in Passenger Area. No individual may transport any alcoholic beverage in the passenger area of a motor vehicle other than in the manufacturer's unopened original container.

d. Transport of Alcoholic Beverages in Government Vehicles. No individual will transport or cause to be transported in a government owned vehicle alcoholic beverages, except on order of competent authority for unit functions or MCCS employees in the performance of their duties.

e. Transport of Alcoholic Beverages in Government Aircraft. Individuals will only be permitted to transport alcohol upon approval by the Aircraft Commander and when in compliance with references (a) and (b).

17. Bulk sales activities will prominently post a notice as follows:

a. "IT'S THE LAW, IT'S AN ORDER. North Carolina, South Carolina and Virginia have container laws that are strictly enforced by State authorities. ASO 1746.2A prohibits the possession and transport of any open alcoholic beverage in the passenger area of any motor vehicle. No alcoholic beverage may be transported in the passenger area of a motor vehicle unless unopened, in the manufacturer's original sealed container. Consumption of any alcoholic beverage in a motor vehicle is strictly prohibited".

b. Violations are punishable by Court Martial, administrative or disciplinary action. Violations by civilians will be referred to the Special Assistant United States Attorney for prosecution under Title 18, U.S. Code, section 13 in Federal court. Any violation is grounds for administrative suspension or revocation of driving privileges up to 12 months or the period imposed by State Authorities.

18. Confiscation. Any alcoholic beverage taken from the possession of any person who violates this Order will be immediately sealed and tagged with the name of the person or persons from whom taken, the time, the date, and a list of witnesses who can identify same, and will be secured until articles have served their purpose as evidence. When alcoholic beverages are seized on the grounds that they are possessed in an unauthorized manner, military authorities may maintain possession over the lawfully seized beverages through the conclusion of any legal or administrative proceeding.

b. Tasks

(1) Commanding Officers/Officers In Charge

(a) Establish maximum reasonable quantities of alcoholic beverages authorized for Bachelor Enlisted Quarters (BEQ's) under their jurisdiction.

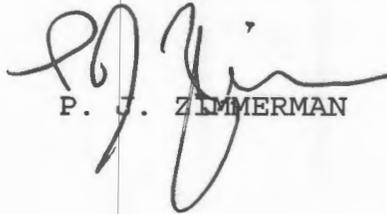
(b) Ensure personnel are aware of the provisions of this Order, the importance of responsible use of alcoholic beverages, and possible repercussion for violations per this Order.

5. Administration and Logistics. This Order is available electronically and can be accessed via the Station Adjutant section of the MCAS homepage at:
<http://www.marines.mil/unit/mcascherrypoint>.

6. Command and Signal

a. Command. The Commanding General, 2d MAW, concurs with the content of this Order insofar as it pertains to the members of their command.

b. Signal. This Order is effective the date signed.



P. J. ZIMMERMAN