

Distilleries Should Always Be Able to Make Hand Sanitizer

As states across the country issued lockdown orders in the face of COVID-19, one type of business was almost uniformly deemed essential: liquor stores. For those attempting to work, homeschool kids, and stay home 24/7 without killing anyone, the continued operation of liquor stores and the distilleries that supply them was deeply appreciated.

But in addition to keeping whiskey and gin flowing during this time of crisis, many distilleries have also begun manufacturing another lifesaving substance: hand sanitizer.

Since the chief ingredient in both liquor and hand sanitizer is ethanol, it turns out that distilleries can fairly easily switch from producing liquor to producing hand sanitizer. What's less easy is navigating the maze of laws that regulate the production of hand sanitizer, and until recently, kept many willing distilleries and local pharmacies from making this desperately needed product.

The hand sanitizer industry is heavily regulated, from what goes in it to how it's sold. When the COVID-19 outbreak drove demand through the roof, existing hand sanitizer manufacturers couldn't keep up, and thanks to high barriers to entry imposed by existing regulations, new businesses couldn't quickly start up and fill the gap. Shortages were everywhere.

In response, the Food and Drug Administration and state agencies revised, relaxed, or suspended many of the regulations surrounding the production of hand sanitizer to allow companies to produce more of it during the COVID-19 crisis.

Distilleries and pharmacies across the country responded, producing hundreds of thousands of gallons of desperately

needed hand sanitizer. Currently, the Distilled Spirits Council of the United States [lists](#) 827 distilleries across the nation making hand sanitizer.

Pivoting to hand sanitizer made it possible for [Journeyman Distillery](#) in Three Oaks, Michigan, to afford to rehire about 15 percent of the staff they laid off when the state's COVID-19 restrictions shuttered much of their business. With their restaurant, putting green, and events space out of commission, hand sanitizer sales have raised over \$30,000 for a relief fund benefiting laid-off Journeyman employees while ensuring their community has access to the hand sanitizer it needs.

Compounding pharmacies across the country have also stepped up to meet the demand for hand sanitizer. In Tucson, [Reed's Compounding Pharmacy](#) is supplying its hand sanitizer to a local hospice, small businesses, and the Tucson Boys and Girls Club. In Mount Vernon, Washington, [Makers Compounding Pharmacy](#) is producing spray bottles of sanitizer for local customers as well as first responders in Skagit County.

Relaxing regulatory hurdles so consumers can get the supplies they need is the logical and responsible government response during a crisis like COVID-19. We're seeing [rollbacks across the country](#), from waiving restrictions on telemedicine to relaxing [certificate of need laws](#) for ambulance services. Though the FDA faces tremendous criticism over other aspects of its handling of this pandemic, in the case of hand sanitizer regulations it did the right thing.

Of course, government being government, the FDA still made it more complicated than necessary to make a fairly simple product. The FDA's rules require distilleries to use a denaturant in their hand sanitizer, which makes the product taste bad to discourage children from drinking it. Denaturants have zero effect on how well the hand sanitizer works, but they wreak absolute havoc on a distillery's lines. If a

distillery wants to go back to making liquor in the future, its lines will first have to undergo an expensive and time-consuming deep clean to get rid of all traces of the denaturant.

Understandably, distilleries aren't eager to foul up their equipment for no good reason. Instead, many distilleries are following the World Health Organization's hand sanitizer recipe, which is similar to the FDA's but doesn't include a denaturant. So far, the FDA does not appear to be cracking down on these producers, which is good, but it would have been better if the FDA worked with health organizations and industry leaders to figure out the best formula from the start.

Fortunately for everyone, distilleries didn't let the FDA's red tape stop them from meeting the public's need for hand sanitizer. As states begin lifting lockdown orders, Americans are going out into their communities armed with hand sanitizer to help keep them safe. There's no telling how long this heightened demand will last, or how long it will take for traditional hand sanitizer manufacturers to catch up.

All of which begs the question – what happens when this pandemic is over?

Distilleries and pharmacies have proven that they can quickly and safely manufacture hand sanitizer, even under the increased pressure of a global crisis. But if allowing more freedom and competition in the hand sanitizer market was safe during COVID-19, then it's safe during normal times too. When the emergency orders are lifted, the FDA should keep these anticompetitive and restrictive regulations off the books for good. If Tito's or a local pharmacy can safely make a profit from producing hand sanitizer, and the public wants to buy that hand sanitizer, the government shouldn't stand in their way.

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