

# The National Direct Shipping Bill of Rights

1. **AGE VERIFICATION:**
  - a. The direct shipper must verify that the buyer is at least 21 years of age through obtaining a copy of a government issued photo identification or via an electronic identification verification service.
  - b. The recipient at the time of delivery is required to provide photo identification verifying their age along with a signature.
2. **SHIPPING CONTAINER LABELING:** All containers of alcohol shipped directly to a resident in a state are conspicuously labeled with the words "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY."
3. **QUANTITY SHIPPING LIMITS:** The direct shipper may be limited in the amount it may ship to an individual annually by the same amount a retailer in the ship-to state is limited to sell to an in-person customer annually.
4. **SALES TAX REMITTANCE:** The direct shipper, either via self-reporting or via a marketplace facilitator, must pay the ship-to state's sales tax on the total dollar amount charged for the product and must do so at regularly designated intervals.
5. **EXCISE TAX REMITTANCE:** The direct shipper, either via self-reporting or via a marketplace facilitator, remits excise taxes to the ship-to state either itself or through a marketplace facilitator.
6. **DESTINATION OF SHIPMENTS:** The direct shipper may ship to the ultimate consumer home address or designated access point, dry zip codes notwithstanding.
7. **QUALIFICATIONS FOR DIRECT SHIPPING:** Any person or business licensed in a state to sell alcohol for off premise consumption may sell and ship said alcohol directly to a person, who is at least 21 years of age, for the person's personal use and not for resale.
8. **LABEL REGISTRATION:** Any alcohol shipped must have an approved Federal TTB label at 7% or more ABV or FDA approval under 7%. Direct shipped products are not required to obtain a secondary label registration at the State level.
9. **REPORTING:** The direct shipper, either via self-reporting or via a marketplace facilitator, must report all shipments into a state on a quarterly basis. The reports must include order number, liters shipped, and carrier tracking numbers. For privacy purposes individual consumer details should not be on the reports, but should be kept by the seller for 3 years.
10. **PERMITS:** Any person or business licensed in a state as an alcohol producer, supplier, importer, wholesaler, distributor or retailer, before sending any shipments, must obtain a direct shipper permit from the state into which it intends to ship wine.
11. **SELF DISTRIBUTION:** Any person or business currently licensed in any state as an alcohol producer, supplier, importer, wholesaler, distributor, or retailer who obtains a direct shipper permit is allowed to self-distribute, without limit, all products they are licensed to sell.
12. **JURISDICTION:** When lawfully obtaining a direct shipping permit from a state other than its own, the direct shipper agrees to consent to the legal and regulatory jurisdiction of the permitting state.

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## Background

States have the right under the 21st Amendment as well as an ethical responsibility to:

- protect the health and safety of its citizens.
- to create an orderly market in alcohol.
- to collect taxes on the sale of alcohol.
- allow consumers the right to receive shipment of alcohol they have legally purchased.

The “Model Direct Shipping Bill” was adopted by National Conference of State Legislatures in 1997. This standardized legislative language provided a foundation for States to base their direct shipping laws on, and many did so. Because the alcohol marketplace and consumer expectations have evolved considerably over the past quarter century, it is necessary to propose a new framework for the interstate direct shipment of alcohol.

The National Direct Shipping Bill of Rights, much like the 1997 Model Direct Shipping Bill, establishes a number of simplified and updated rules. The Bill of Rights will allow for an orderly market, will meet the 21st Amendment rights of a State to maintain the health and safety of the American people, and will provide consumers the greatest choice.

While the 1997 Model Direct Shipping Bill exclusively covered wine, the National Direct Shipping Bill of Rights expands these rights to all alcohol products covered by the TTB or FTC.

Many of the concepts and structures in this Bill exist today in one State or another. The Bill of Rights creates a uniform approach to help producers, and consumers alike, as well as simplify enforcement and tax collection for the States.

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## Supported by



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## Also supported by

Cullari Vineyards & Winery <i>PA</i>	Hard Hat Winery, LLC <i>WA</i>	Remeadies Intoxicating Potions, <i>CA</i>
Bugling Elk Vineyards & Winery, <i>CO</i>	Remy Wines <i>OR</i>	Freehand Cellars LLC <i>WA</i>
PWR Wines <i>CA</i>	Winston Winery <i>CA</i>	Blue Mule Winery <i>TX</i>
FernCrest Winery <i>NC</i>	Baldassari Wines <i>CA</i>	Metz Winery <i>CA</i>
ShadowBuck Winery <i>OR</i>	Mystic Ambrosia Mead <i>NM</i>	Cullari Vineyards & Winery <i>PA</i>
Alta Casta Group <i>TX</i>	War Paw Wine <i>CA</i>	Cougar Vineyard & Winery <i>CA</i>
Caelestis Cellars <i>OR</i>	Grape Exploration <i>AZ</i>	The Winery at Holy Cross Abbey, <i>CO</i>
Williamson Mead & Brewing, <i>NC</i>	Northleaf Winery, LLC <i>WI</i>	Lacewing Cellars <i>WA</i>
Two Papas Wines <i>CA</i>	Nine Pin Ciderworks <i>NY</i>	Hollow Wines <i>CA</i>
Approachment Wine Company, <i>OR</i>	Alta Orsa Winery <i>CA</i>	Habersham Winery <i>GA</i>
Moonstone Cellars <i>CA</i>	Vines 79 Wine Barn <i>CO</i>	Effenberger Vineyards <i>CA</i>
Averill House Vineyard <i>NH</i>	Wilrona, LLC   Ackerman Winery, <i>IA</i>	Black Diamond Farm & Cider, <i>NY</i>
Bee-Town Mead & Cider <i>SC</i>	Wilridge Vineyard, Winery & Distillery, <i>WA</i>	Piazza Family Wines <i>CA</i>

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Wandering Cellars <i>MN</i>	Aluel Cellars <i>WA</i>	Speedy Creek Winery, <i>CA</i>
Domaine St Laurent <i>OR</i>	Well Played Wines <i>OR</i>	Five Hives & Vines LLC <i>GA</i>
August Hill Winery <i>IL</i>	Tenth Ward Distilling Company, <i>MD</i>	Maugle Sierra Vineyards <i>CT</i>
Alfred Eames Cellars <i>CO</i>	Monvitis <i>CA</i>	Longevity Wines <i>CA</i>
Holtkamp Winery <i>IN</i>	Rasta Ranch Vineyards <i>NY</i>	Leidenfrost Vineyards <i>NY</i>
Oak Tree Winery <i>CA</i>	Shumaker Vineyards <i>OR</i>	Farnum Hill Ciders/Poverty Lane Orchards, <i>NH</i>
StarView Vineyards <i>IL</i>	Smith Story Wine Cellars <i>CA</i>	Carboy Winery <i>CO</i>
Cairdeas Winery <i>WA</i>	Satori Cellars <i>CA</i>	Crane Creek Vineyards <i>GA</i>
Lushington Wines   Lush Labs LLC, <i>WA</i>	Blue Sky Vineyards <i>IL</i>	Honey Heist Mead Co <i>IL</i>
Amoritas Vineyards <i>MI</i>	Odonata Wines <i>CA</i>	Peony Lane <i>CO</i>
Cape Venture <i>MO</i>	Heineman Winery & Crystal Cove, <i>OH</i>	Sweetgale Meadworks & Cider House, <i>AK</i>
The Pour Up, LLC <i>CA</i>	Woodmill Winery Inc <i>NC</i>	Truckee Family Wines <i>CA</i>
Root Objective <i>WA</i>	Sheppard Fruit Wines <i>ID</i>	Buckel Family Wine <i>CO</i>

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Wilding Orchards LLC  
*PA*

Lucid Winery  
*CA*

Skyharp Cellars  
*CA*

Debonné Vineyards  
*OH*

Cask Three Oh Seven  
*OH*

Chateau Boswell  
*CA*

Wallis Family Estate  
*CA*

Appolo Vineyards, LLC  
*NH*

Blisspoint Meadery  
*MA*

Hermit Woods Winery &  
Eatery, *NH*

Kite Hill Vineyards  
*IL*

French Road Cellars  
*MI*

Hopwood Cellars Winery  
*IN*

Gervasi Vineyard  
*OH*

Captain Vineyards  
*CA*

Binah Winery  
*PA*

Kahal Family Vineyards  
*CA*

Stowe Cider  
*VT*

Schmitt/Siebenberg, DBA  
Volatus, *CA*

Five Point Berries Winery  
*GA*

Hard Hat Winery  
*WA*

Hosmer Winery  
*NY*