

Can we ship wine to you?

The types of state laws:

Reciprocal

Thirteen states -- including the major wine-producing states of California, Oregon and Washington -- have "reciprocal" shipping laws in place, meaning that consumers can have wine sent to their homes directly from wineries (though not necessarily from retailers) -- as long as the seller's home state allows out-of-state companies to ship wine to its residents. For example, if you live in Illinois, you can order directly from a California winery because both states allow reciprocal shipping, but you cannot order from a New York winery because New York state has no such law on the books. In addition, the buyer's home state generally waives its taxes; any sale is considered to take place in the seller's home state and is taxed there. Reciprocal laws are not green lights for unlimited shipping; some states place stricter limits than others on how many cases you can have delivered or on what types of orders are allowed. All the states require safeguards against wine getting into the hands of minors: The packages must be labeled as containing alcohol, and the carrier must check identification to be sure an adult is accepting delivery.

Limited

Fourteen states and the District of Columbia allow you to bring in out-of-state wine under certain conditions, typically requiring the seller to register with the state or pay for a special shipping permit. These states also generally restrict the amount of wine that a resident can bring in annually and require the winery or consumer to pay taxes and report the transactions. Some of these states actually give you more freedom than some reciprocal states do, while some allow only shipments of wine bought on a winery's premises and personal transportation of purchases. Yet other states place such substantial requirements on the sellers, buyers or shipping companies that it's impractical for most to ship there. As in reciprocal states, packages must be labeled as alcohol and signed for by an adult.

Prohibited

Twenty-three states ban out-of-state producers from shipping wine directly to consumers' homes. Six of these states -- Florida, Indiana, Kentucky, Maryland, Tennessee and Utah -- actually make it a felony for either wineries or retailers to ship in violation of the law. If you live in any of those places, tough luck. Wineries won't risk shipping to you, because if they are convicted of a felony, they can lose their federal permit to make wine. However, the situation isn't equally bad everywhere. If you've visited an out-of-state winery, some of these states allow you to ship the wine back to yourself or to carry home a couple bottles in your suitcase or car. A few states have created "special-order" systems to allow you to buy wines that aren't distributed in the state. After the order is placed, the wine must be sent through a wholesaler to a retailer for pickup, where you will be charged state taxes and additional handling fees. However, winery trade

groups and many consumers charge that the extra costs and restrictions of going through the three-tier system make special orders unpalatable at best, and unworkable at worst.

Federal On-Site

In 2002, as a result of the airlines' new restrictions on carrying wine on board, a federal law was passed that allowed visitors to wineries to ship wine back home to themselves, as long as their state of residence permits them to carry alcohol purchases personally across state lines. Of the states that ban interstate direct shipments, 11 allow personal transportation and therefore on-site shipments. These include Connecticut, Delaware, Florida, Maine, Michigan, Montana, New Jersey, Oklahoma, South Dakota, Tennessee and Vermont.

Intrastate shipping permitted

Thirty-one states and the District of Columbia allow in-state wineries and/or retailers to ship directly to residents -- even though some of these states ban interstate shipments. This apparent discrimination against out-of-state businesses was the basis of several federal lawsuits filed by wine lovers and was the crux of the U.S. Supreme Court's ruling on Michigan and New York's laws in May 2005. As with interstate shipping, restrictions often apply, and deliveries are not permitted to dry counties.

Alphabetical State-by-State Listing

The following briefly describes what each state permits, prohibits or limits in respect to interstate and in-state direct shipments of wine, along with details on how much wine (if any) you're allowed to buy and what the requirements are to ship legally. Shipments are generally not permitted to "dry" towns, except in Texas. (One case equals 9 liters, or 12 750 ml bottles. Two cases equals about 5 gallons.)

Alabama Prohibited. Consumer may order wines from out-of-state wineries but must obtain permission from liquor authority and have wine sent to an ABC store for pickup and payment of taxes. No in-state shipping.

Alaska Limited, from wineries and retailers. Permitted in "reasonable" quantities except to "dry" communities. In-state shipping allowed.

Arizona Limited, on-site only. As of Sept. 18, 2003, allows consumers to purchase wines on the premises of a winery and have them shipped home. Up to two cases per year per winery. No in-state shipping.

Arkansas Prohibited. No in-state shipping.

California Reciprocal, up to two cases a month from wineries and retailers. Can obtain permit from liquor agency to receive up to 2.4 gallons from nonreciprocal states. In-state shipping allowed.

Colorado Reciprocal, up to two cases a month. For off-site orders, customer must have previously visited the winery in person. In-state shipping allowed.

Connecticut As of Oct. 1, 2005, residents of "wet" towns can order five cases of wine every two months from out-of-state or in-state wineries. Meanwhile, under a 2002 federal law, a resident visiting an out-of-state winery may have up to 4 gallons shipped back. Consumer must get permit to personally carry in up to 4 gallons at one time or 5 gallons within a 60-day period.

Delaware Prohibited. Exception: Under a 2002 federal law, a resident visiting a winery may have up to 1 liter of wine shipped back. Personal transportation also allowed. No in-state shipping.

District of Columbia Limited, 1 quart per month from wineries and retailers. Personal transportation allowed of up to 1 gallon. In-district shipping allowed.

Florida Prohibited, with felony penalties for seller and carrier. Exception: Under a 2002 federal law, residents visiting a winery may have up to 1 gallon of wine shipped back home. Personal transportation of up to 1 gallon also allowed. Local retailers allowed restricted in-state shipping.

Georgia Limited. On-site orders permitted from all wineries. Off-site order permitted only from wineries that don't have a distributor in the state and that obtain \$50 permit. Each winery is limited to a total of 50 cases a year in the state and to no more than five cases to any individual consumer. Shipments of up to five cases permitted if consumer orders on the premises of any in-state or out-of-state winery, even if it has a Georgia distributor. (No other in-state shipments allowed.) Felony penalties for violations. Personal transportation allowed of up to 0.5 gallon.

Hawaii Reciprocal, up to three cases a year from wineries that register with the individual island commissions. In-state shipping allowed.

Idaho Reciprocal, up to two cases per month from wineries and retailers. In-state shipping allowed.

Illinois Reciprocal, up to two cases per year from wineries and retailers. In-state shipping allowed.

Indiana Prohibited, with felony penalties only for retailers and breweries, which do not hold a federal basic permit as wineries do. In-state shipping allowed.

Iowa Reciprocal, up to two cases per month from wineries. In-state shipping allowed.

Kansas Prohibited. No in-state shipping.

Kentucky Prohibited, with felony penalties. Residents visiting another state or country may ship an unspecified amount of wine ; to their home or business address; assistance of winery employees is permitted. No in-state shipping.

Louisiana Limited, up to four cases per year from retailers and from wineries that don't have a distributor in the state. Shipments permitted from any winery -- even if it has a Louisiana wholesaler -- if a consumer orders on the premises of the winery. Wineries must obtain \$150 permit, retailers a \$1,500 permit. In-state shipping allowed.

Maine Prohibited. Exception: Under a 2002 federal law, a resident visiting an out-of-state winery may have up to 1 gallon shipped back home. No in-state shipping.

Maryland Prohibited. Felony penalties for violations. Special orders for wines not available in the state allowed through three-tier system. Consumer may order from a winery that has paid for a permit; order must be shipped through a wholesaler to a retailer for pickup. Service fees are charged. Wineries limited to a total of 100 cases per year in state and to 12 cases per year for any individual consumer. Personal importation of up to 1 quart at a time, with a maximum of 2 quarts per month, allowed from out-of-state. No in-state shipping.

Massachusetts Prohibited. In-state shipping allowed.

Michigan Prohibited. Exception: Under a 2002 federal law, a resident visiting an out-of-state winery may have up to 9 quarts shipped back home. Personal transportation of up to 9 quarts also allowed. In-state shipping allowed.

Minnesota Reciprocal, up to two cases per year from wineries if ordered by fax, phone or mail. Internet orders prohibited. In-state shipping allowed.

Mississippi Prohibited. No in-state shipping.

Missouri Reciprocal, up to two cases per year from wineries and retailers. In-state shipping allowed.

Montana Prohibited. Exception: Under a 2002 federal law, a resident visiting an out-of-state winery may have up to 3 gallons shipped back home. Also, in theory, consumer may obtain \$50 license (\$25 to renew) to order a total of up to 12 cases per year from out-of-state wineries. Wineries must register with state and are limited to 60 cases per year. However, common carriers will not deliver for off-site sales. No in-state shipping.

Nebraska Limited, one case per month. Wineries must obtain \$500 shipping permit. In-state shipping allowed.

Nevada Limited, up to 12 cases per year. Wineries must obtain permit, must designate a wholesaler if shipping 25 cases or more per year, must pay \$500 annual license fee if shipping 200 cases or more per year. In-state shipping allowed.

New Hampshire Limited, from wineries and retailers that obtain free shipping permit. Winery limited to five cases (60 containers of up to 1 liter each) per year to any individual consumer and

to a total of 100 cases (1,200 containers of up to 1 liter) per year in the state; if latter limit is exceeded, winery must sell similar amount to liquor commission, which runs state stores. Felony to ship to minors. Personal transportation allowed of up to 3 quarts or up to 3 gallons with consumer permit. In-state shipping allowed.

New Jersey Prohibited. Exception: Under a 2002 federal law, a resident visiting an out-of-state winery may have up to 1 gallon shipped back home. Personal transportation allowed from out of state; consumer permit needed to bring in more than 1 gallon of wine per day. No in-state shipping; banned in 2004.

New Mexico Reciprocal, up to two cases a month from wineries and retailers. No in-state shipping.

New York As of Aug. 12, 2005, up to 36 cases per year from in-state and out-of-state wineries.

North Carolina Limited. As of Oct. 1, 2003, can order up to two cases per month from local and out-of-state wineries that obtain a \$100 shipping license. Wineries are limited to 1,000 cases a year to the state overall. In addition, residents may purchase wines on site at wineries while traveling and have them shipped home, even if the producers do not have North Carolina shipping permits. Those shipments don't count toward the 1,000-case total.

North Dakota Reciprocal (as of Aug. 1, 2005), up to three cases per month from wineries in other states that allow shipments. Felony penalties for shipping to minors. In-state shipping not allowed.

Ohio Under court order, consumers may order unspecified quantities from in-state and out-of-state wineries, with no permit required. New legislation is under consideration. Residents can bring in 1 gallon per month from abroad or obtain consent and pay fee to ship or carry up to two cases of wine per month from abroad.

Oklahoma Prohibited, with felony penalties for shipping to minors. Exception: Under a 2002 federal law, a resident visiting an out-of-state winery may have up to 1 liter shipped back home. No in-state shipping.

Oregon Reciprocal, up to two cases per month from wineries and retailers that obtain free shipping license. In-state shipping allowed.

Pennsylvania Prohibited. Special orders via Internet of wines not carried by state stores allowed. Consumers may order online only up to one case per month from wineries that have obtained shipping permit; wines must be sent to Liquor Control Board stores for pickup and payment of taxes and handling fees. No in-state shipping.

Rhode Island Limited, on-premises purchases at wineries only. Quantity not specified. In-state shipping allowed.

South Carolina Limited, up to two cases per month from wineries that obtain a shipper's license for a fee of \$400 every two years. In-state shipping allowed.

South Dakota Prohibited. Exception: Under a 2002 federal law, a resident visiting an out-of-state winery may have up to 1 gallon shipped back home. Allows personal transportation of up to 1 gallon from out of state. No in-state shipping.

Tennessee Prohibited; felony penalties. Exception: Under a 2002 federal law, a resident visiting an out-of-state winery may have up to 1 gallon shipped back home. No in-state shipping.

Texas Limited. Up to 3 gallons per consumer permitted from local and out-of-state wineries. Shipments permitted to all areas, including "dry" areas, as of a bill signed in May 2005. Wineries must obtain \$75 permit. Each winery's total annual shipments to the state are limited to 35,000 gallons a year for on-site and off-site sales. In-state shipping allowed.

Utah Prohibited; felony penalties. No in-state shipping.

Vermont Prohibited. Exception: Under a 2002 federal law, a resident visiting an out-of-state winery may have up to 6 liters shipped back home. Allows personal transportation of up to 6 gallons from out of state with permit. In-state shipping allowed.

Virginia Limited. Consumers may receive up to two cases of wine per month from producers or retailers. Out-of-state shippers must acquire \$65 permit; out-of-state retailers must also have written permission of brand owner to ship a particular wine. In-state shipping allowed.

Washington Reciprocal, up to two cases per year from wineries that obtain free shipping license. Consumers can get authorization from liquor agency to bring in "reasonable" quantity from nonreciprocal states, with payment of taxes and markup. In-state shipping allowed.

West Virginia Reciprocal, up to two cases per month from wineries or retailers. In-state shipping allowed.

Wisconsin Reciprocal, up to three cases per year from wineries. As of Jan. 1, 2003, wineries must pay \$10 registration fee and collect data for an annual report. In-state shipping allowed.

Wyoming Limited, two cases per year. Wineries and retailers must obtain \$50 permit. Personal importation allowed of up to 3 liters. In-state shipping allowed.