

## Direct Shipping of Wine to Missouri Consumers

### Updated February 8, 2019

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#### Direct Wine Shipping Law Went into Effect August 28, 2007

Out-of-state Wine manufacturers are required to have a license to ship wine directly to consumers, may only ship wine using licensed alcohol carriers and must pay excise taxes on wine shipments to Missouri residents/consumers.

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#### Details on Wine Manufacturers Shipping Law

On July 13, 2007, Governor Matt Blunt signed into law Senate Bill 299 revising the Missouri State Statutes with regard to direct shipping of wine by wine manufacturers to Missouri residents/consumers for personal consumption.

The law ([Section 311.185](#)) does several things:

1. Allows a wine direct shipping license for wineries to ship wine they produce or bottle on their premises directly to Missouri residents. Please note that wine produced and bottled at different locations may not be shipped to Missouri residents under this law. A Primary American Source of Supply designation alone does not qualify as being produced on the wine manufacturers premises and does not qualify to be shipped to Missouri residents.
2. Provides for an alcohol carrier license for carriers who ship wine directly to residents setting out standards that must be followed.
3. Requires strict procedures for delivery of wine to prevent underage wine shipments.

All in-state and out-of-state wine manufacturers are able to sell and ship their wine products directly to adult Missouri consumers.

There are, however, several important restrictions to remember.

- The law applies only to wine manufacturers and has no effect on out-of-state wholesalers or retailers.
- The law applies only to shipping of wine and has no effect on the shipping of distilled spirits and malt beverages.
- The law applies only to wine that is produced or bottled by the holder of the wine direct shipper's permit.

- The wine must be transported by an ATC licensed carrier. Such licenses are issued to commercial carriers.
  - Wine shipped in this way may not be resold and is strictly for personal use.
  - The in-state or out-of-state winery may not deliver more than 2 cases of wine per month to the same consumer.
  - Instate and out-of-state wine manufacturers must obtain a direct shipper's permit.
  - The wine may not be sold or delivered to a person under twenty-one years of age.
  - The wine must be in a package that is clearly and conspicuously labeled showing that the package contains wine, and that the package may be delivered only to a person who is age 21 or over.
  - Wineries must permit ATC to perform an audit on licensees' records upon request.
  - Be deemed to have consented to the jurisdiction of ATC or any other state agency in Missouri concerning the enforcement of this section.
  - Wine direct shipper's license must be renewed annually on or before May 1<sup>st</sup> of each year.
  - The holder of the wine direct shipper's license shall maintain complete sales and delivery records for at least three years from the date of the sale. These records shall be made available upon request for inspection by ATC.
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## **Excise Taxes**

Out-of-state wine manufacturers shipping to Missouri consumers must report on shipments of wine made in Missouri and [pay excise taxes](#) on or before January 31st of each year. The report must detail the total amount of wine shipped into the state the preceding year. All excise taxes are due at this time and shall be calculated as if the sale were in this state at the location where the delivery is made.

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