



# COMMONWEALTH of VIRGINIA

COMMISSIONERS  
SUSAN R. SWECKER, CHAIR  
PAMELA O'BERRY EVANS  
ESTHER H. VASSAR

## *Department of Alcoholic Beverage Control*

2901 HERMITAGE ROAD  
P.O. BOX 27491  
RICHMOND, VIRGINIA 23261  
(804) 213-4400  
FAX (804) 213-4411  
TDD LOCAL (804) 213-4687

CHIEF OPERATING OFFICER/SECRETARY TO THE BOARD  
W. CURTIS COLEBURN, III

### CIRCULAR LETTER 07-01

**TO:** Direct Shipping Licensees **DATE:** April 23, 2007

**FROM:** Francis J. Monahan  
Director  
Bureau of Law Enforcement

### **SUBJECT: DIRECT SHIPPER LIMITATIONS AND REQUIREMENTS**

The Direct Shipper's license for Wine and/or Beer was introduced on 07/01/2003. With the ensuing proliferation of licensees in this category, and in the interest of our licensees receiving consistent information, the following information is provided as a brief refresher.

Section 4.1-112.1 of The Alcoholic Beverage Control Act and Section 3 VAC 5-70-220 of the Virginia Administrative Code set forth the following limitations and requirements on Direct Shipper Licenses:

- All sales and shipments must be for personal consumption only and not for resale.
- All sales and shipments are restricted only to persons in Virginia to whom alcoholic beverages may be lawfully sold.
- No more than two cases of wine (any combination of packages containing not more than 18 liters), or two cases of beer (any combination of packages containing not more than 288 ounces) may be shipped to any person per calendar month.
- The direct shipment of beer and wine shall only occur through the usage of common carriers that have been approved by Virginia ABC.
- Holder's of wine or beer shipper's licenses may add or delete brands to be shipped by letter to the Supervisor, Tax Management Section, designating the brands to be added or deleted. Appropriate brand owner consents or wholesaler notices shall accompany any letter adding brands, as required with an original application.
- Holder's of wine or beer shipper's licenses must file on or before the 15<sup>th</sup> day of each month with the Supervisor, Tax Management Section, a monthly tax and activity report for the preceding calendar month. This report must include:
  - o Number of containers shipped;
  - o Volume of each container shipped;
  - o Brand of each container shipped;
  - o Names and addresses of recipients; and
  - o Price charged.

This report must be filed whether or not any products were sold and shipped during the month reported, and must be accompanied by any applicable excise taxes. *Please do not confuse the monthly ABC reports and excise taxes with the reports and retail sales taxes imposed by the Virginia Department of Taxation.*

The referenced sections from The Alcoholic Beverage Control Act and Virginia Administrative Code may be read in their entirety on our website: [www.abc.virginia.gov](http://www.abc.virginia.gov). Please link the following sequence: Laws and Enforcement/Virginia Codes, and then choose the appropriate category.

Should you have any questions or concerns please feel free to contact your assigned Senior Special Agent directly, or direct your email to: [Enforcement@abc.virginia.gov](mailto:Enforcement@abc.virginia.gov).