

Booze Cruise

By Reg P. Wydeven
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A few years ago, a good friend of our family got married in Napa Valley, California. While there, the family participated in a wine tasting at a local winery.

The family loved some of the wine, so they made arrangements to have some bottles shipped home. Thankfully they live in Wisconsin, so it was no big deal. Had they lived in Alabama, Oklahoma or Utah, they would have been out of luck.

Most states have laws that allow for out-of-state manufacturers to ship alcoholic beverages directly to consumers. The majority of them, including Wisconsin, limit the direct shipments strictly to wine. Wisconsin requires wineries to obtain a special permit and limits home deliveries to 108 liters annually per customer. Some states require that the customer make the purchase on-site at the winery.

A handful of states allow wine and beer to be delivered. Very few allow any alcoholic beverages to be directly shipped to customers.

A few years ago Iowa adopted a law allowing alcohol to be delivered right to your door. Senator Jeff Danielson explained, "Prior to enacting this law there were no enforceable regulations because the state code was silent on this matter. So this meant retail outlets could do whatever they wanted basically in terms of home delivery of alcohol."

Under the law, businesses that sell alcohol must follow specific rules for home delivery, such as payment must be made at the store before delivery, the deliverer and the recipient must both be at least 21, the recipient cannot be intoxicated, and no deliveries can be made after 10:00 p.m.

Opponents of the law proclaimed the new measure makes booze more accessible. Supporters, however, believe home delivery might encourage people to drink at home and stay off the roads. In addition, the new law will likely boost gift basket sales if they can now include alcohol.

This issue came to light in Wisconsin a few years ago after Danny Haber, a UW student from Long Island, New York, faced more than \$420,000 in penalties from the City of Madison for operating an alcohol delivery service. Haber claims he was told by city alderman, Mike Verveer, that the operation was legal.

In May of 2010, the city filed a 575-count complaint against Haber and his business partner, Matthew Siegel, for selling alcohol without a permit and for serving it to minors. The complaint was a result of a police sting operation involving the pair's company, Campusdrank.com.

Campusdrank.com got its start delivering soft drinks. At the end of 2009, however, Haber asserted that he had several conversations with Ald. Mike Verveer, a member of the city's Alcohol Licensing Review Committee, and was told that alcohol delivery was legal under a city ordinance that Verveer helped write. So in January of 2010, Campusdrank.com started delivering alcohol. The company's policy was for its delivery people to check IDs and ask for a second form of identification.

Haber and Siegel's combined fines were reduced to about \$7,800 and Haber subsequently dropped his notice of claim filed against the city for bad advice from Verveer.

In the e-commerce world we live in, it will be interesting to see if Wisconsin will change its stance on alcohol delivery. A beer and cheese gift basket sounds like a no-brainer, doesn't it?

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