



Oregon

Theodore R. Kulongoski, Governor

Liquor Control Commission

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RE: Ruling on Oregon/New York State Reciprocity for Direct Shipping

The purpose of this document is to facilitate the efforts of Oregon wineries in obtaining a Direct Shipper's License from the State of New York. The New York State Division of Alcoholic Beverage Control requires the Oregon Liquor Control Commission to issue this ruling in order to comply with Section 79-c.(1) of the New York Alcoholic Beverage Control Law.

A licensed Oregon winery applying to obtain a New York State Direct Shipper's License must supply, with the license application, a ruling from the Oregon Liquor Control Commission that a New York State wine manufacturer may directly sell and ship (or may apply for a license to directly sell and ship) wine produced by the New York State wine manufacturer to a resident customer in Oregon for personal use and not for resale.

ORS 471.229 provides for the reciprocal interstate shipment of wine and cider directly to consumers. It states that residents of Oregon who are at least 21 years of age may receive not more than two cases of wine per month from another state for personal use if the state from which the wine is sent allows its residents to receive wine from Oregon manufacturers. To supply wine to Oregon residents under this statute, the out-of-state manufacturer must obtain an Out-of-State Wine Shipper License as described in OAR 845-005-0423.

The Oregon Liquor Control Commission has reviewed the New York and Oregon statutes and has determined that the reciprocity statutes permit wine manufacturers of each state to directly ship wine to the other state. New York wineries may ship wine at retail to adult Oregon residents and Oregon wineries may ship wine at retail to adult New York residents in accordance with ORS 471.229. A copy of this advisory may be submitted as the Oregon ruling to the New York State Liquor Authority by any Oregon winery seeking to obtain a Direct Shipper's License pursuant to Section 79-c.

Teresa L. Kaiser, Executive Director
Oregon Liquor Control Commission

