

# Wine Direct Shipper Permit

- Effective January 1, 2006, new legislation (SB118 Chesbro) becomes law which complies with the US Supreme Court decision *Granholm v. Heald* ruling on the direct interstate shipment of wine to adult consumers.
- Section 23661.3 BPC establishes a Wine Direct Shipper Permit for non-California wineries shipping wine to adult California residents.
- [Form ABC-248 \(Wine Direct Shipper Permit Application\)](#) comes with instructions on how to file the application.
- This new Wine Direct Shipper Permit will have a license designation of a Type 82.
- The ability of California wineries to make retail wine shipments to adult California consumers remains a basic privilege for a California Winegrower Licensee (Type 02).
- There is \$10.00 fee for the Type 82 license, which is renewable annually for \$10.00.
- The California Board of Equalization (BOE) will be receiving a copy of the ABC-248 upon receipt by the Department. They will then be in contact with the applicant.
- The BOE will then require a Certificate of Use Tax for out of state wineries and will notify the winery of required reporting. If the winery already does business with the State of California they would have nexus and therefore only need a Sellers Permit. All questions pertaining to taxes need to be directed to the California Board of Equalization at [www.boe.ca.gov](http://www.boe.ca.gov)
- If a winery fails to report their sales, the BOE will notify ABC for further action, (the Department will handle the out of state wineries similarly to how we currently deal with out of state beer shippers who fail to report to the Board)