

Virginia ABC Extends Temporary In State Direct to Consumer Shipping Privileges for Virginia Distilleries

RICHMOND – In an effort to ease pandemic related economic pressures on many of Virginia’s distilleries, the Virginia Alcoholic Beverage Control Authority (ABC) has extended temporary in state direct to consumer shipping privileges for distilleries that have existing agreements with ABC to manufacture and sell products as agents of ABC at their distillery site. Virginia currently has more than 45 distilleries with ABC distillery store agreements.

“Virginia distilleries contribute to the economic vitality of the commonwealth and it’s important that they have some flexibility in how they are able to provide their products to consumers while their tasting rooms are closed,” said Chief Executive Officer Travis Hill. “The Virginia Distillers Association is a key partner in working with our distillery store agents to craft responsible policy solutions to address the unprecedented circumstances of this crisis. This temporary addendum to distillery store agreements is one example of many since this crisis where we have provided our licensees with relief from regulatory challenges in areas where we have the authority to do so.”

Operating as an agent of Virginia ABC pursuant to a signed and notarized Distillery Store Agreement addendum on file with Virginia ABC, Virginia distillers are authorized to ship their spirits (and any low alcohol beverage coolers manufactured or blended on the licensed premises) directly to consumers and ABC licensed restaurants in Virginia with the following caveats:

- No distiller may sell more than six bottles of spirits or two cases of low alcohol beverage coolers to any one consumer or licensee per month.
- Bottles of spirits shipped may be no larger than 1.75 liters.
- The distiller must ensure the recipient is at least 21 years of age.
- Direct shipment must be made by an approved common carrier (currently FedEx or UPS).
- Signature of an individual 21 years of age or older is required for delivery.

“Extraordinary times call for extraordinary support,” says Virginia Distillers Association President Gareth H. Moore. “Enacting temporary in-state direct to consumer shipping privileges for local distilleries is a reasonable lifeline for our industry, which employs almost 1,500 Virginians. This new form of market access will provide industry members both small and large with a mechanism to get product to consumers, easing distillers’ angst for how they will pay wages and sustain business in light of market access restrictions.”

This addendum to the Distillery Store Agreement shall continue as long as Virginia ABC stores are recognized as essential businesses under Governor Northam’s Executive Order 53 and 55 or until further amended, modified or rescinded by the governor.

Previous changes by ABC regarding a distillery’s ability to deliver products directly to consumers are permanent and remain in place. This includes delivering products to customers seated in their vehicle on the premises or in the parking lot of the distillery, in addition to delivering products by way of distillery employees or third party services such as Grubhub and Uber Eats.

A list of Virginia’s distillery stores is available on ABC’s website at <https://www.abc.virginia.gov/stores/distillery-stores>. For more information about Virginia ABC’s response to COVID-19, visit <https://www.abc.virginia.gov/covid-19>.

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