



COLORADO
Department of Revenue
Specialized Business Group—
Liquor & Tobacco

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BULLETIN 25-01

REFERENCE: Bulletin 25-01 - Direct-to-Consumer Shipments of Malt or Spirituous

The Division has issued the following bulletin reiterating State laws and regulations regarding direct-to-consumer shipping.

The Division has received information that certain Suppliers (as defined in Regulation 47-100(F), 1 CCR 203-2) may be shipping malt and spirituous alcohol directly to consumers in the State of Colorado, which is illegal under Colorado law.

Direct-to-Consumer Shipments of Wine

Under current law, only vinous liquor may be shipped directly to a consumer, and only by a winery located in the United States that holds a valid winery direct shipper's permit. A winery direct shipper's permit may be issued to a person operating a winery located in the United States that holds all state and federal licenses and permits, or both, necessary to operate the winery, including the federal winemaker's and blender's basic permit, as stated in 44-3-104(2)(b), C.R.S. *See also* Regulation 47-104, 1 CCR 203-2. When shipping vinous liquor using a winery direct shipper's permit, the package must be clearly and conspicuously labeled, showing that it contains wine and may only be delivered to a person who is over 21 years of age. *See* 44-3-104(3)(a)(I), C.R.S. Wine packages left unattended do not comply with Colorado law. *See* 44-3-104(3)(a)(II), (b); 44-3-901(1)(b), C.R.S.

It is illegal to ship malt liquors or spirituous liquors directly to a Colorado consumer, regardless of whether the shipment is from the inside or outside the State of Colorado. *See* 44-3-901(1)(b), C.R.S.; 44-3-901(1)(g), C.R.S. (making it unlawful for any person, other than persons holding certain listed license types, to sell sealed containers of malt, vinous, or spirituous liquors at retail); 44-3-901(1)(h), C.R.S. (making it unlawful for any person to "sell, or possess for sale any alcohol beverage unless licensed to do so as provided by this article 3 or article 4 or 5 of this title 44 and unless all licenses required are in full force and effect"); *see also* 44-3-103(52), C.R.S. (broadly defining the words "sell" or "sale" as used in the Colorado Liquor Code). As always, if there are any questions the Division can help answer, please email those to dor_led@state.co.us

Colorado Liquor and Tobacco Enforcement Division