

May 8, 2018

To Whom It May Concern,

It has come to our attention that many businesses offering “Beer of the Month” clubs are shipping beer into the State of Idaho directly to the consumer. Per Idaho State law, this act is illegal. Assisting the consumer in any way with shipping their purchase of beer is a violation.

Idaho Code 23-1072 governs the proper way to ship beer into the State of Idaho. It requires a Certificate of Approval and must be shipped to a licensed Idaho wholesaler. The wholesaler is then required to sell that product to a licensed Idaho retailer. The retailer can then sell the product to the consumer.

Idaho Code 23-1055 governs unlawful sale, purchases and acts as it relates to selling beer in the State of Idaho. It shall be unlawful: (a) for any brewer manufacturing beer outside this state or for any foreign distributor to sell beer for resale or consumption in this state except to dealers and wholesalers licensed in this state; (b) for any dealer or wholesaler licensed in this state to purchase beer manufactured outside this state except from brewers or foreign distributors holding certificates of approval issued by this state and from other dealers or wholesalers licensed in this state; (c) for any person to sell beer for resale or consumption in this state or to transfer or import beer into this state for the purpose of selling such beer for resale or consumption in this state, unless such person shall hold a license or certificate of approval issued by this state pursuant to which any such sale, transportation or importation shall be authorized; (d) for any retailer licensed in this state to purchase beer for resale except from a dealer or wholesaler licensed in this state. Any beer sold, transported or imported in violation of the provisions of this section shall be subject to seizure, forfeiture and sale in the same manner as provided for in section 23-1008, as amended.

As such, ABC will investigate and, if warranted, take enforcement action on suspected violations of the aforementioned Idaho Codes relating to direct shipping and requests industry members to conduct their practices accordingly.

Please feel free to email our office with questions at abc@isp.idaho.gov.

Sincerely,

Captain Brad Doty
Alcohol Beverage Control Bureau
Idaho State Police