

September 22, 2022

Dear Members of Congress:

We write to respectfully request that you cosponsor the United States Postal Service (USPS) Shipping Equity Act (H.R. 3287/S. 1663) to allow breweries, distilleries, wineries, cideries, and meaderies to utilize the USPS to ship products to consumers where state laws permit it.

Breweries, distilleries, wineries, cideries, and meaderies operate in every state and congressional district and are critical partners to our country's tourism, hospitality, and manufacturing industries. Using barley, wheat, corn, hops, rye, grapes, apples, and honey, as well as other grains, fruits, and botanicals in products, the sector is integrally linked to our nation's agriculture sector.

Over the past few years, adult consumers have become increasingly interested in having their favorite products delivered directly to their door. This legislation would enable the USPS to participate in an existing marketplace alongside private sector carriers and generate an estimated \$190 million annually in new revenue.

As you review the legislation, please consider the following:

- **Beverage alcohol shipping occurs today in much of the country.** The Supreme Court case *Granholm vs. Heald* (2005) led to the expansion of direct-to-consumer wine shipping and the shipping of other types of beverage alcohol. Now, more states are considering legislation to allow adult consumers to ship beverage alcohol to their homes. Today, 47 states allow direct-to-consumer shipping of wine; 11 states allow direct-to-consumer shipping of spirits; and 13 states allow direct-to-consumer shipping of beer. (The District of Columbia allows for direct-to-consumer shipping of wine, spirits, and beer.) Yet, today, only private carriers can ship these products. Providing the USPS the ability to ship beverage alcohol products where legal would enable them to compete effectively in the modern marketplace.
- **The beverage alcohol industry is heavily regulated – and would remain so with the passage of the USPS Shipping Equity Act.** The Alcohol and Tobacco Tax and Trade Bureau (TTB) carries out provisions of the Federal Alcohol Administration Act by approving labels and formulas, collecting federal excise tax, and enforcing regulations. The USPS Shipping Equity Act includes provisions to ensure that beverage alcohol producers may only ship to eligible consumers. The products shipped are subject to the same rigorous standards as any other beverage alcohol product currently on the market.
- **The USPS Shipping Equity Act does not make any changes to federal excise tax collection nor does it inhibit state or local authority in regulating beverage alcohol.**
- **Beverage alcohol shipping is shown to be safe and secure.** Beverage alcohol producers are responsible for age-gating on websites, noting with a clear label that the box contains alcohol, and identifying and paying for a shipping method that includes ID check. Like private carriers, the USPS has systems in place to verify restricted delivery to adult consumers. We, the undersigned groups, continue to strongly support the inclusion of language in the USPS Shipping Equity Act to require identification checks at point of delivery. Additionally:

- In 2003, a Federal Trade Commission [staff report](#) found: “The states that permit interstate direct shipping generally report few or no problems with shipments to minors.”
- In 2022, R Street Institute conducted [an analysis](#) on underage drinking and alcohol delivery. They noted: “In the end, this data demonstrates that there is no discernible connection between [direct-to-consumer] wine shipping and enhanced underage drinking rates.”
- **The USPS Shipping Equity Act affirms the preeminence of state, local, and tribal law regarding the delivery, shipment, and sale of beverage alcohol and addresses liability.** The legislation includes language to make clear that a state, local, or tribal government may take action against the USPS for a violation of a state, locality, or tribe, respectively, regarding the sale, mailing, transportation, or importation of beverage alcohol. The legislation further specifies that the USPS “shall be liable in the same manner and to the same extent as a private individual under like circumstances.”

We encourage you to support this important piece of legislation that will allow for consumer choice, support businesses across the country that have suffered during the pandemic, create a new revenue stream for the USPS, and allow USPS to compete in the marketplace more effectively.

For more information or to add your office as a cosponsor to the USPS Shipping Equity Act (H.R. 3287/S. 1663), please reach out to: Eliazar Chacha (Eliazar.Chacha@mail.house.gov) in Rep. Speier (D-CA)’s office, Travis Martinez (Travis.Martinez@mail.house.gov) in Rep. Newhouse (R-WA)’s office, or Matthew Traylor (Matthew.Traylor@merkle.senate.gov) in Sen. Merkley (D-OR)’s office.

Thank you for your consideration. Please don’t hesitate to reach out if any of our organizations can be a resource on this issue.

American Cider Association
 American Craft Spirits Association
 American Distilling Institute
 American Mead Makers Association
 American Postal Workers Union
 American Single Malt Whiskey Commission
 American Wine Society
 Brewers Association
 Distilled Spirits Council of the United States
 National Active and Retired Federal Employees Association (NARFE)
 National Association of Letter Carriers
 National Association of Postal Supervisors
 National Association of Wine Retailers
 National Postal Mail Handlers Union
 National Rural Letter Carriers’ Association
 United Postmasters and Managers of America
 USApple
 WineAmerica

Alabama Brewers Guild
Arizona Craft Brewers Guild
Arizona Craft Distillers Guild
Arizona Craft Producers Association
Arizona Wine Growers Association
Arkansas Brewers Guild
Arkansas Distillers Guild
Brewers Association of Maryland
Brewers Guild of Alaska
Brewers Guild of New Jersey
Brewers of Indiana Guild
Brewers of Pennsylvania
California Artisanal Distillers Guild
California Craft Brewers Association
Colorado Brewers Guild
Colorado Distillers Guild
Connecticut Brewers Guild
Connecticut Spirits Trail
DC Brewers' Guild
Delaware Brewers Guild
Distillers Association of North Carolina
Distillers Guild of Alaska
Distillers of San Luis Obispo County
Family Winemakers of California
Finger Lakes Wine Alliance
Florida Brewers Guild
Florida Craft Spirits Association
Garden State Wine Growers Association
Georgia Craft Brewers Guild
Georgia Distillers Association
Idaho Brewers United
Idaho Distillers Association
Idaho Grape Growers and Wine Producers Commission
Illinois Craft Brewers Guild
Illinois Craft Distillers Association
Illinois Grape Growers and Vintners Alliance
Indiana Winery & Vineyard Association
Iowa Brewers Guild
Iowa Distillers Alliance
Louisiana Craft Brewers Guild
Louisiana Distillers Guild
Maine Distiller's Guild
Maryland Distillers Guild
Maryland Wineries Association
Massachusetts Brewers Guild
Michigan Cider Association
Michigan Craft Distillers Association
Michigan Wine Collaborative
Minnesota Craft Brewers Guild

Missouri Craft Brewers Guild
Missouri Craft Distillers Guild
Missouri Wine and Grape Board
Montana Brewers Association
Montana Distillers Guild
Montana Grape and Wine Association
Nebraska Craft Brewers Guild
Nebraska Winery and Grape Growers Association
Nevada Craft Brewers Association
New Hampshire Brewers Association
New Jersey Craft Distillers Guild
New Mexico Distiller's Guild
New Mexico Wine & Grape Growers Association
New Mexico Winegrowers Association
New York Cider Association
New York State Brewers Association
New York State Distillers Guild
New York Wine Policy Institute
North Carolina Cider Association
North Carolina Wine and Grape Council
North Dakota Brewers Guild
Ohio Craft Brewers Association
Ohio Distiller's Guild
Ohio Wine Producers Association
Oregon Brewers Guild
Oregon Wine Council
Oregon Winegrowers Association
Seneca Lake Winery Association
South Carolina Brewers Guild
South Carolina Craft Distillers Guild
South Dakota Craft Brewers Guild
Tennessee Distillers Guild
Tennessee Farm Winegrowers Alliance
Texas Craft Brewers Guild
Texas Wine and Grape Growers Association
Utah Brewers Guild
Vermont Brewers Association
Virginia Distillers Association
Virginia Wineries Association
Washington Brewers Guild
Washington Distillers Guild
Washington Wine Institute
Washington Winegrowers Association