



LIQUOR CONTROL DIVISION *Frequently Asked Questions*

Out-of-State Winery, Foreign Winery or Importer Licensees/Registrants

Q. Are copies of wine distributor agreements with a winery or wine importer and a table wine distributor required to be filed with the Liquor Control Division?

A. Yes. In the event an agreement is ever disputed, a court will not consider the agreement to have any force or effect if it is not on file with the department. (MCA, 16-3-226)

Q. Who can a foreign winery ship to in the state of Montana?

A. A foreign winery registered in the state can ship to licensed table wine distributors or individuals in Montana who are at least 21 years of age if the winery holds a direct ship endorsement.

Q. Who can wine importers ship to in the state of Montana?

A. Wine importers can only ship to licensed table wine distributors.

Q. How can a winery located in another state ship to retailers in the state of Montana?

A. Out of state wineries can apply for an Out-of-State Winery License which allows the winery to ship limited quantities directly to retail liquor licensees or licensed table wine distributors. The limit on direct shipments of wine to licensed retailers is 4,500 cases annually.

Q. What is the difference between an Out- of –State Winery and a Foreign Winery?

A. An Out- of State Winery is *licensed* to ship directly to retailers or licensed table wine distributors. A Foreign Winery is *registered* to ship to licensed table wine distributors.

Q. Is there a limit on the quantity of wine that can be shipped into the state of Montana by a winery?

A. Yes. There is a limit of 18 9-liter cases that can be shipped annually to an individual in Montana who is at least 21 years of age, if the winery holds a direct ship endorsement, and a limit of 4,500 cases annually that can be shipped to retailers by a licensed Out-of-State Winery.

Q. How can a foreign winery or importer verify they are shipping to a licensed table wine distributor or licensed retailer?

A. The department has a searchable on-line query on the web-site located at <http://mt.gov/revenue/forbusinesses/liquorlicensees/liquorlicensing.asp>. The winery or importer can contact the Liquor Control Division at 1-866-859-2254 or (406) 444-6900.

Q. Who pays the tax on products distributed in the state of Montana?

A. Licensed Montana table wine distributors or licensed wineries who deliver products to retailers are required to pay the tax on such products.

Q. How can wineries that produce sacramental wine distribute wine to churches in the state of Montana?

A. Wineries who specialize in sacramental wine may ship to licensed table wine distributors who will then distribute to retailers for purchase by priests, rabbis, pastors, ministers, officials of the churches or other established religious organizations.

Q. Do foreign wineries or wine importers need to receive approval before products and varieties of products can be shipped into the state of Montana?

A. Yes. Foreign wineries and wine importers must provide the department with copies of their labels for review and approval prior to shipping into the state of Montana.

Q. What is a direct ship endorsement?

A. A direct ship endorsement is permission granted by the department to a winery licensed or registered pursuant to 16-4-107, MCA under which the winery is allowed to sell and ship table wine directly to an individual in Montana who is at 21 years of age and in quantities not to exceed 18 9-liter cases annually.