



# ATCC

Alcohol, Tobacco, and Cannabis Commission

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## Alcohol Compliance Bulletin ACB – 24-002

### **\*\*REPORTING REQUIREMENTS FOR MANUFACTURERS WITH DIRECT-TO-CONSUMER DELIVERY AND SHIPPING AUTHORIZATION\*\***

**Subject:** *Chapter Bill 594 (SB448) of the Acts of 2023: Statutory Amendments and reporting requirements for direct delivery and shipment of beer and liquor to consumers*

This bulletin is directed to Maryland Manufacturers (“Manufacturers”) of beer and liquor who deliver and/or ship their products directly to consumers with prior authorization from the Alcohol, Tobacco, and Cannabis Commission (“ATCC”) pursuant to Maryland Alcoholic Beverages and Cannabis Article (“ABCA”) §2-219.

The privilege granted to Manufacturers by Chapter Bill 594 (SB448) of the Acts of 2023, terminates on June 30, 2024. Furthermore, it should be noted that this privilege is limited to license holders that received authorization to deliver and/or ship their products directly to consumers by the ATCC on or before April 6, 2023. Passage of this law also amended ABCA §2-219, creating new sales reporting requirements that became effective on July 1, 2023. This bulletin is intended to summarize those changes and provide instructions for the submission of such a report.

First, the law places a limit on the total quantity of liquor and beer that a licensed manufacturer may directly ship or deliver to a particular consumer within a calendar year.<sup>1</sup> Authorized liquor manufacturers may directly ship **no more than the equivalent of 18 standard sized 750ml bottles of liquor products to a single consumer each year**. Authorized beer manufacturers may directly ship **no more than 3,456 ounces of beer (the volume of beer in 12 standard cases) to a single consumer each year**.

Second, the General Assembly directs each manufacturer who has made direct to consumer sales pursuant to ABCA §2-219 to report the amount of

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<sup>1</sup> See ABCA §2-219 (d)

beer and liquor that they have shipped and delivered directly to consumers in the State. The law mandated that Manufacturers submit two sets of reports related to direct-to-consumer sales – the first report to be submitted on or before December 1 2023 and the second, on or before June 1, 2024<sup>2</sup>. The ATCC issued Alcohol Compliance Bulletin 24-001 on October 20, 2023, detailing the information required to be submitted for that first report.

**This bulletin provides instructions for the second required report from Manufacturers, which is due no later than June 1, 2024. For this second report, the ATCC requests Manufacturers’ sales data associated with direct-to-consumer delivery and shipping from all authorized breweries and distilleries that delivered and shipped alcoholic beverages during the months beginning from November 1, 2023, up and until April 30, 2024.**

The data the ATCC seeks is not unique or new to Manufacturers. Such information is normally reported via quarterly tax returns as submitted by Manufacturers to the Office of the Comptroller of Maryland. To complete the second report Manufacturers should enter aggregate volume data on the first sheet of the attached form, and data for each specific consumer shipment on the second sheet of the form. It is important to note that the ATCC seeks the actual number of gallons shipped or delivered, and not “proof” gallons. Lastly, if Manufacturers need to use extra spreadsheets to submit all data that the ATCC seeks through this bulletin, they may do so provided that the columns and entries are in the same format as the form attached to this bulletin.

**The attached template form shall be filled out completely and accurately by each Manufacturer and contain complete delivery and shipment data up to and including April 30, 2024. It shall be submitted by email on or before the close of business on June 1, 2024. to Andrew Waters, Assistant Director of the Regulatory and Administrative Services Bureau within the ATCC at the following email address: [Andrew.waters@maryland.gov](mailto:Andrew.waters@maryland.gov).**

If you have any questions or concerns regarding this bulletin, please do not hesitate to contact our offices at 443-330-6990 or email Jeffrey M. Hann, Esq., Assistant Director of the Legal and Legislative Division, at [Jeffrey.hann@maryland.gov](mailto:Jeffrey.hann@maryland.gov).

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<sup>2</sup> Direct Wine Shipper permits available to wine manufacturers have distinct ongoing reporting requirements and are not addressed in this bulletin.