



NEWS

FOR IMMEDIATE RELEASE: May 16, 2005

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Supreme Court rules that states should be “evenhanded” with alcohol regulations

Florida Coalition to Prevent Underage Drinking says court decision should not be interpreted to weaken Florida’s restrictions on Internet alcohol sales

TALLAHASSEE — The Florida Coalition to Prevent Underage Drinking said today that a U.S. Supreme Court ruling on out-of-state shipments of wine should not be interpreted to weaken Florida’s tight restrictions on Internet alcohol sales.

In a close 5-4 decision today, the U.S. Supreme Court said that Michigan and New York had not sufficiently justified state laws that ban Internet sales from out-of-state wineries while allowing such sales from inside the state. The court upheld states’ 21st Amendment rights to regulate the sale and distribution of alcohol, but said they should treat in-state and out-of-state alcohol producers “on evenhanded terms.”

The decision may affect laws in 24 states — including Florida — that ban out-of-state shipments of alcohol directly to homes. While today’s ruling only involved wine, legal experts say that it could be applied to liquor, beer and other alcoholic beverages currently regulated by state law.

“We will now have to look at Florida law in the light of this Supreme Court ruling,” said John Fleming, spokesman for the Florida Coalition to Prevent Underage Drinking. “We believe Florida’s law properly places very tight restrictions on Internet alcohol sales, and those restrictions should be preserved.”

According to the 2004 National Academy of Sciences report “Reducing Underage Drinking: A Collective Responsibility,” about 10 percent of children who use alcohol get it through the Internet or through home delivery, and that the number is likely to grow. By this estimate, more than a million underage drinkers nationwide may be using the Internet to illicitly obtain alcohol products.

“An argument can be made for banning Internet and home delivery sales altogether in light of the likelihood that these methods will be used by underage purchasers,” the report said.

The Florida Coalition to Prevent Underage Drinking supports Florida law requiring that alcohol only be sold through licensed businesses in Florida that can be held accountable for violations. The Coalition — an organization of law enforcement agencies, community groups, businesses and religious groups — is opposed to proposals to weaken state alcohol control laws and expand direct shipping to out-of-state companies.

“We see the dangerous mix of minors and alcohol every day. We as a community should do everything we can from increasing alcohol access,” said Jim Gilliland of the Miami Coalition for a Safe and Drug Free Community.

Florida Attorney General Charlie Crist was one of more than 30 state attorneys general who filed an amicus brief urging the Supreme Court to defend states’ rights to regulate the importation and sale of alcohol. According to the brief by the attorneys general, unrestricted out-of-state shipments directly to homes would impede states’ efforts to prevent minors from obtaining alcohol.

For more information, visit www.preventunderagedrinking.com. The Supreme Court opinion and the dissenting opinion are now posted online at www.preventunderagedrinking.com/under_supCourt.asp.

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