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NEWS

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Coalition to Prevent Underage Drinking demonstrates ease of shipments to minors

Attorney General Charlie Crist says easier access by youth is a "recipe for disaster," and advocates tight control over alcohol sales

TALLAHASSEE — The Florida Coalition to Prevent Underage Drinking today demonstrated how easily minors in Florida are able to obtain liquor and other alcohol products from unlicensed, out-of-state Web sites that illicitly take orders and ship alcohol directly to homes.

Under the direction of the Coalition, a 20-year-old Florida State University student ordered vodka, tequila and wine online and had the alcohol delivered to him at home with no check of his identification.

At a press conference, the Coalition opened the packages and showed the contents to state Attorney General Charlie Crist, proving that unregulated shipments from out-of-state are a real threat that will make it easier for minors to obtain alcohol products.

The Coalition — an organization of law enforcement agencies, community groups, businesses and religious groups — is fighting attempts by out-of-state companies to weaken state alcohol control laws. Nationally, the battle is playing out in the U.S. Supreme Court, which is considering a case — also involving interstate shipments — that could have an impact on Florida's laws regulating alcohol sales.

Crist, who spoke at the Coalition press conference, 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.

"Underage drinking is a problem in Florida," said Crist. "Easier access to alcohol by our youth is a recipe for disaster. Florida law properly exercises tight control over alcohol sales and helps keep kids from getting their hands on beer, wine and liquor."

According to a poll conducted by the Coalition, 75 percent of Floridians oppose allowing beer, wine or liquor to be sold directly to consumers over the Internet or through the mail. Of those, 67 percent said it was because it would allow minors to obtain alcohol products.

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When asked if it would be acceptable if only wine was to be sold directly over the Internet or through the mail, 68 percent still opposed the idea.

The growth of e-commerce has dramatically increased shipments from out-of-state sources directly to homes. In Florida and across the nation, the influential wine industry is attacking state alcohol control laws in an attempt to weaken the strict controls that many states put on alcohol sales — bills currently filed in the Florida Senate would create loopholes for out-of-state sellers to bypass Florida's alcohol regulations.

"Alcohol is not like any other product, and Florida regulates its sale because we don't want it to be sold to children," said John Fleming, spokesman for the Coalition. "There is plenty of consumer choice. Responsibility is the key, and that's what our system is designed for."

The U.S. Supreme Court heard oral arguments in December in a case involving interpretation of the 21st Amendment, which gives states the power to regulate the importation of "intoxicating liquors." 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.

In Florida, it is a felony to import alcohol directly into the state in violation of state law. Conflicting appeals court rulings on similar laws in Michigan and New York prompted the Supreme Court to take the case, and a ruling is expected in late spring or summer this year.

"If Florida's power to control alcohol sales is weakened, law enforcement agencies will have a more difficult task stopping underage persons from buying alcohol," said Live Oak Police Department Chief Nolan McLeod, vice president of the Florida Police Chiefs Association. "We can't enforce the law if minors are ordering from outside the state and having it delivered straight to their doors."

Florida Retail Federation Vice President Bill Herrle said that Florida law holds licensed retailers accountable for violations, and the system works.

"Florida law tells you where and when you can sell alcohol, and who can sell alcohol," Herrle said. "The system works because it gives state and local law enforcement agencies direct control over alcohol sales, and it holds Florida's licensed businesses accountable."

In addition to the demonstration in Florida, cases from around the country prove that minors are using the Internet to have alcohol delivered. A sting operation in Massachusetts by the attorney general uncovered several online vendors and shipping companies that delivered alcohol to underage students without ID checks. Another investigation in Michigan also found that underage children were able to buy alcohol online.

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The Florida Coalition to Prevent Underage Drinking is made up of business leaders, law enforcement, clergy, educators and community groups dedicated to protecting state laws relating to the sale of beer, wine and liquor over the Internet, by phone or through mail by unlicensed out-of-state companies. The Coalition supports Florida law requiring that alcohol only be sold through licensed businesses in Florida that are accountable for violations.