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A few clicks can get minors liquor

By [CANDACE HECKMAN](#)

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Forget the fake IDs. There's no need to bribe anyone into a trip to the liquor store, either.

All an underage person needs to get booze now is a credit card and a computer.

That's what a bunch of Gonzaga University students found out last month. They ordered liquor, beer and wine and had it delivered to their front doors without ever being questioned about their age.

Armed with full bottles and delivery receipts, the students are demanding that state Attorney General Christine Gregoire investigate several online companies selling and delivering alcohol to minors.

"Despite being underage, we were able to buy alcohol unchallenged from respected companies selling wine like Costco.com to less-known Internet sites that sell all forms of alcohol, including hard liquor," said Paul Schafer, president of Gonzaga's chapter of Collegians for a Constructive Tomorrow, the student organization that conducted the experiment.

The Gonzaga experiment touches the core of a national debate over local liquor control and interstate commerce. And as e-commerce continues to grow, Internet liquor sales are gaining popularity, even though they are illegal in most of the country. Selling hard liquor online to adults, as well as minors, is illegal in Washington. The state is among 18 states and one county in Maryland that directly control the sale of liquor within their borders, but Washington does allow limited online sales of wine.

"We believe the attorney general is not doing her job in enforcing an equal standard of the law," Schafer said. "A liquor-store owner will be fined and may lose his or her license if alcohol is sold to a minor, but there is no consequences, or no one checking, for the Internet retailers."

Most states, including many that ban any kind of interstate alcohol sales, are clinging to their right to enforce distribution laws both on the ground and online, while manufacturers, particularly the nation's wineries, are hoping to broaden their markets and ship products directly to consumers across state borders.

In Washington, Gregoire's staff has not decided what will be done about the Gonzaga request or the practice of

online liquor sales, but state attorneys general are likely to act if presented with evidence, as they did in the case of Internet tobacco retailers two years ago, said spokeswoman Lori Takahashi.

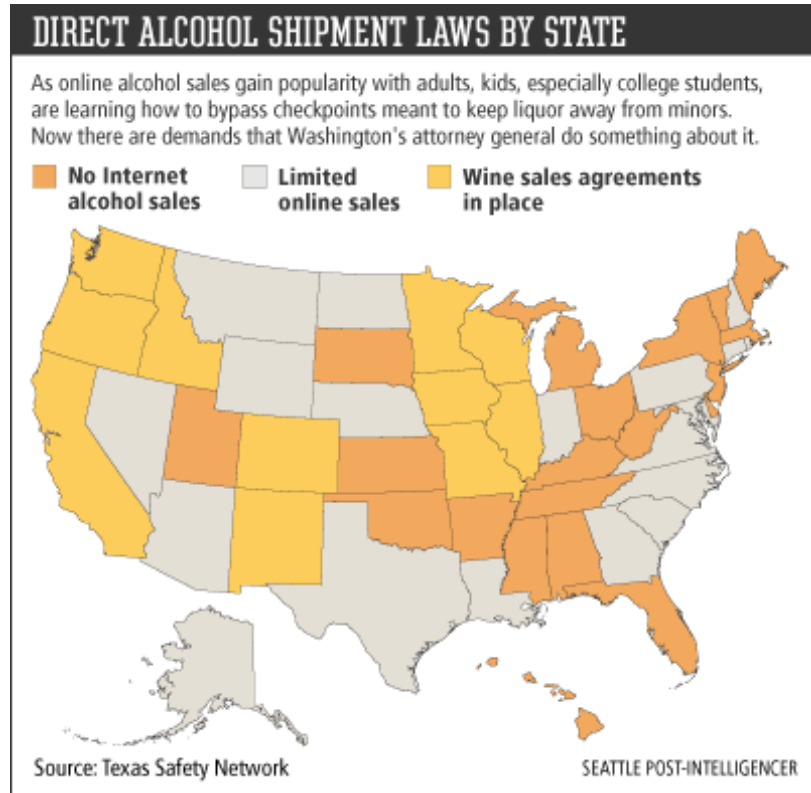
In June, Massachusetts Attorney General Tom Reilly filed a lawsuit against four Internet retailers from four different states for selling alcohol to minors. Regulators also are investigating three other online retailers and three package delivery services for violating Massachusetts liquor laws.

Investigators do not know how many underage consumers are turning to online outlets over more traditional practices, such as using fake IDs or asking older friends to buy liquor for them, but the potential is there and enforcement officers are primarily concerned with restricting minors' access, said Reilly's spokeswoman, Sarah Nathan.

In Massachusetts, investigators had underage students from five Boston-area colleges order alcohol online. All of the students received their orders, including tequila and vodka, without being carded.

"If tequila is being sold online, it's being sold illegally. We'd be very concerned about that," said Bob Burdick, spokesman for the Washington State Liquor Control Board.

Costco's chief executive officer, Jim Sinegal, was concerned to hear that underage customers at Gonzaga University were able to buy wine from his company. Costco



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requires online purchasers to certify that they are over 21 and pays an extra fee to its delivery company to get an adult signature and check IDs, he said.

The Federal Trade Commission issued a report last year finding that online wine sales benefited consumers more than hurt states' ability to restrict sales to minors.

Washington's Gregoire has come out publicly in favor of allowing interstate shipment of wines nationwide. She and California's attorney general have been trying to rally their counterparts to favor opening direct shipment.

California and Washington are the largest wine-producing states in the country. Issaquah-based Costco is the largest retailer of wine nationwide, although its online business is only just beginning, Sinegal said.

The U.S. Supreme Court agreed in May to resolve legal conflicts over the direct shipment of alcohol over state lines. While one part of the Constitution allows for free commerce between states, another part gives authority over liquor laws directly to the states.

The debate stems from cases mainly between winemakers, who want the freedom to deliver their product wherever customers want it, and wholesale distributors, the middlemen states have set up to restrict access by keeping alcohol prices high and supply stable.

A federal appeals court ruling in New York held that the state's ban on interstate wine shipments was allowed under the 21st Amendment, which repealed Prohibition. But in a Michigan case, another federal appeals court struck down such a ban as a violation of the Constitution's commerce clause.

Although wine is generally not the drink of choice for young people, if keeping hard liquor out of the mouths of babes means restricting online wine sales, too, local governments should have the right to restrict it all, said Jim Ballard, executive director of the Michigan Association of Secondary School Principals.

"If a liquor store is making extra money selling to minors out the back door, eventually they'll be caught, and they'll be dealt with because they're right there, they're local," Ballard said. "That enforcement's not going to happen if the back door is in California."

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