

March 15, 2023



Good Afternoon,

Sen. Hickman, Rep. Supica and members of the Veterans and Legal Affairs Committee, I am Cheryl Timberlake, a resident of Mt. Vernon, and the Executive Vice President of the Maine Beer Wine Distributors (MBWD). Appreciate the opportunity to offer comments in support of **LD 846, An Act to Require Direct Wine Shippers To Comply with Maine Beverage Container Laws.**

For over 85 years, the beverage alcohol industry has successfully served consumers and communities by distributing wine, spirits, and beer through a three-tier system: alcohol producers can only sell their products to wholesalers, wholesalers can only sell to retailers, and only retailers can sell to consumers.

Designed to prevent the abuses that led to Prohibition, the three-tier system was adopted by every state after the repeal of Prohibition and adoption of the 21st Amendment. MBWD are the Maine based local family owned and operated distributorship for beer, wine and non-alcoholic beverages.

MBWD thanks Rep. Gramlich for bringing the issue to the forefront and sponsoring LD 846.

MBWD participated in the off-session stakeholders' meetings as per Resolves 2022 ch. 175 (LD 1358).

The Resolve required BABLO to *"review and evaluate the direct shipment of wine to consumers in the State under current law, identifying potential areas of concern including, but not limited to, evaluating the impact to the State of exempting direct-shipped wine from the State's beverage container law..."*

By way of background, only two states have wine in their bottle bill programs, Maine and Iowa. When the DTC model bill was considered, the Department of Agriculture (DOA) was the regulatory agency responsible for the bottle bill program. DOA was unable to offer guidance on how DTC shipments of wine would comply with Maine's system. Without the regulatory guidance the law created an exemption to the program.

Today, you will hear from the Department of Environmental Protection (DEP), the current regulatory agency with oversight for the program. DEP participated in the stakeholder meetings.

In anticipation of the BABLO Stakeholder report, MBWD supports LD 846 as a direct vehicle to require all DTC shipper permits comply with Maine Bottle Bill program as defined with Title 38, Chapter 33.

If our in-state wineries satisfy the tenets for the bottle bill program, then out-of-state producers should as well.

Thank you for your consideration of our comments. I would be happy to answer any questions now or during the work session.

Maine Beer and Wine Distributors Association
96 State Street, Suite 2 ■ PO Box 615 ■ Augusta, ME 04332-0615
Fax (207) 621-0175 ■ Phone: (207) 623-5245

www.mainebeerandwine.org