

Pennsylvania Declares War on Wine

[Updated September 22, 2014 with additional information from a friend who lives in Pennsylvania.]

We interrupt our regular reviewing with a **public service announcement**. First, you need to know that in Pennsylvania alcoholic beverages can only be purchased in stores owned and operated by the state. This can lead to bizarre situations such as a particular wine only being available in a few stores. This is a case of **Pennsylvania declares war on wine**. According to an article at Reason.com,

Earlier this year, after a months-long undercover investigation, Pennsylvania state police agents served a warrant on the home of Arthur Goldman, an attorney, and his wife, Melissa Kurtzman.

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So just what was it that led police to target the homeowners? Cocaine? Marijuana? Meth? Raw milk?

None of the above. This bizarre and infuriating case involves no illicit substance whatsoever. It's a case about wine. Legally purchased wine, at that.

Goldman and Kurtzman are now fighting the Commonwealth of Pennsylvania in court. They argue the state's seizure of more than 2,400 bottles of fine wine is unconstitutional and are seeking to force Pennsylvania to return the entire collection. The state, on the other hand, has designs on destroying the wine.

The couple are **wine lovers**. They regularly have **wine delivered to their New Jersey residence**. This is perfectly

legal in the more enlightened state of New Jersey. As a favor to friends Goldman and Kurtzman began ordering wine on their behalf. They did this at their cost, not making a profit.

(As a side note, Mr. Goldman is an attorney who is obviously working hard to improve the public image of his profession.)

In 2013 the couple bought a home in Malvern, Pennsylvania.

However, they continued to use the New Jersey house as their primary residence.

At this point, the absolute lunacy of Pennsylvania's alcohol laws becomes clear. You can order wine to be shipped to Pennsylvania, but it must be shipped to one of the state stores. And you can't order any wine that the state stores already carry.

add a \$4.50 handling fee, Pennsylvania's 18% liquor tax, 6% sales tax (and 2% sales tax in Philadelphia or 1% Allegheny counties.

Exactly what a Philadelphia resident should do if the wine they want is only available in a Pittsburgh store remains in question. And when you pick up your wine →

More from the Reason article:

... fast forward to March 2013. It was then that, while Goldman's and his wife's wine collection slept soundly at their New Jersey home, an "anonymous complainant reported" Goldman to Pennsylvania's Bureau of Liquor Control Enforcement (BCLE) for allegedly selling wine in Pennsylvania without a license.

It's unclear who the informant is or what they claimed Goldman had done. But that same month, an undercover BCLE officer "infiltrated... Mr. Goldman's mailing list." The officer then made a buy (to use undercover cop parlance), joining in one of Goldman's pooled orders from California.

This officer was soon joined on the list by another undercover officer, who posed as his stepdaughter, and still another officer, who posed as the second officer's fiancée. These officers also joined in the pooled orders.

Continuing with his generosity, Goldman shared glasses of his own wine with the undercover officers in his home. He gave them a tour of his wine cellar, which by July 2014 was located in his Malvern home, now the marital residence.

Testing the limits of that generosity, the officers concocted a story about looking for a special wedding gift of wine. Though Goldman wasn't in the business of selling wine, he made an exception, selling to undercover agents a total of four or five bottles—at cost—from his personal collection.

Soon afterwards, on January, 6, 2014, Pennsylvania police raided the home and seized more than 2,400 bottles of wine. They charged Goldman was an unlicensed wine dealer who made purchases in contravention of state law, and that his alleged crimes required Pennsylvania to destroy the entirety of the couple's wine collection—worth an estimated \$160,000.

If you're as outraged as me, I urge you to write Pennsylvania governor Tom Corbett at Governor@pa.gov or call 717-787-2500. (Gov. Corbett lost his bid for re-election. As of January 20, 2015 address those e-mails to Governor-elect Tom Wolf.) S-mail to Governor Tom Corbett, 508 E-Floor Main Capitol, Harrisburg 17120

Update: Mr. Corbett is a Republican. And Republicans have controlled both houses of the Pennsylvania legislature for at least a few years. They tried to eliminate the state monopoly stores. But the stores' employees are unionized. And the lobbying was intense. To the everlasting shame of the Republican party, Pennsylvania knuckled under. The law failed. And the wine Gestapo marches on.

Thanks to David Burge (@iowahawkblog) for tracking this story down. #oneman