



## **Sale and direct delivery of beverage alcohol products to Quebec**

It has recently come to our attention that **some Canadian partners and producers** of beverage alcohol products offer online sales with direct delivery to buyers in other Canadian provinces, including Quebec. As the beverage alcohol trade is highly regulated, we felt it was advisable to provide this reminder of the rules applicable to such activities in Quebec.

First, it should be noted that each province has the jurisdiction to pass its own laws governing the possession, sale and transportation of beverage alcohol on its territory. Although the laws vary from province to province, the situation in several provinces, **including Quebec, is that the possession, sale and transportation of beverage alcohol are prohibited except when authorized by a permit or the provision of an act.**

**Under Quebec law, sales transactions between a supplier or producer of beverage alcohol products based in another Canadian province and a resident of Quebec are illegal.** That the sale was concluded online does not exempt the transaction from Quebec law. Consequently, the parties to the transaction expose themselves to penalties of a criminal nature, including fines.

**Similarly, shipping beverage alcohol products from a Canadian province to a Quebec address is not allowed under current law.**

It should also be noted that simply returning to Quebec with beverage alcohol acquired outside Quebec is also prohibited except in cases specifically allowed by law. Under current regulations, bringing into Quebec beverage alcohol products that one has legally acquired outside Canada is subject to two conditions: (1) the products must be in the possession or baggage of the person who acquired them; and (2) the volume of beverage alcohol products brought back in this way must be within the limits prescribed by law, the current limits being 3 litres of spirits, 9 litres of wine and 24.6 litres of beer. Until recently, in addition to the laws of the various provinces, the federal Importation of Intoxicating Liquors Act also prohibited bringing beverage alcohol products into a province from another province unless the products were purchased by the organization mandated to sell beverage alcohol in the province, which, in the case of Quebec, is the Société des alcools du Québec (hereinafter the "SAQ"). Although this provision was abolished in the most recent revision of the act, the change had no effect on the legal systems in effect in the provinces. **In other words, although online sale of beverage alcohol products for delivery to Quebec from another Canadian province is no longer prohibited under federal law, it remains prohibited under Quebec law.**

This means that the beverage alcohol sales you make to Quebec residents are in violation of the law. In addition, we note that you take no action to ensure that the products are delivered only to a person age 18 or older. Yet, even if you were entitled to sell beverage alcohol in Quebec, which is not the case, you would be required to verify that the buyer is 18 or older. In short, such sales are not only illegal but also irresponsible from a sales ethic standpoint.

In view of the foregoing, we hereby formally demand that you cease all online sales of beverage alcohol to Quebec residents without further notice or delay.

Please note that detection of the above-mentioned violations is the responsibility of the police forces with jurisdiction in Quebec and that the filing of charges against offenders falls to the *Directeur des poursuites criminelles et pénales*.

All that being said, it is possible for any adult person residing in Quebec and wanting to acquire beverage alcohol products from a producer or supplier based in another province to do so legally. Here is how: he or she should contact the SAQ Private Order Department and follow the current instructions and procedures, which are listed on the SAQ.com website. The SAQ will then purchase the products from the supplier and arrange for them to be shipped to Quebec so the buyer can pay for the products and pick them up at one of the many SAQ stores across Quebec.

Also, we would be pleased to exclusively offer you product on our SAQ.com website, the better to meet the needs of Quebec consumers keen on Canadian products.

For more information, please contact  
our Business Relations Assistance Service (SARA),  
via [Contact SARA](#) or at 514 254-2711.