

**Addendum to Contract between Public Warehouse
and California Winery for Wine Storage, Packing and Shipping Services**

This agreement, dated _____, 20____, amends an existing written contract dated _____, 20____ between a licensed California winery ("Winery") doing business under the name of _____ and a licensed Type 14 California public warehouse ("Fulfillment Warehouse") doing business under the name of _____ and licensed by California at license number _____ on _____, 20____. A copy of Fulfillment Warehouse's valid California Type 14 Public Warehouse license is attached. The Fulfillment Warehouse and Winery contracted for the provision of services associated with the storage, packing and shipment of wine.

With this addendum, the Winery and Fulfillment Warehouse amend their existing service contract and affirm that Fulfillment Warehouse is deemed an agent of Winery for the purposes of complying with the Virginia direct wine shippers law under the provisions of Va. Code §§4.1-209 and 4.1-209.1, and Va. Administrative Regulation 3VAC5-70-240. Recognition of the agency relationship via this addendum supports the one-time approval by Va. ABC of Fulfillment Warehouse to provide direct wine shipments on behalf of Winery into Virginia pursuant to Virginia law. Winery warrants that it is a licensed Virginia wine shipper pursuant to wine shipper license number _____ issued by Va. ABC on _____, 20____.

Pursuant to this addendum, Fulfillment Warehouse agrees to maintain for two (2) years complete and accurate records of all shipments made on behalf of Winery to Virginia consumers, including 1) the number of containers shipped, 2) the volume and 3) the brands of each container shipped, and 4) the names and addresses of Virginia recipients. These records shall be made available for inspection and copying at Fulfillment Warehouse upon request by Va. ABC. Fulfillment Warehouse further affirms that its initial contract with Winery remains valid and available for inspection and copying by Va. ABC upon request. Va. ABC may review records and contracts by contacting _____ at the headquarters of Fulfillment Warehouse by telephone at (____)_____, by electronic mail at _____, or by U.S. mail at:

Fulfillment Warehouse further affirms that it operates a warehouse(s) under its Type 14 public warehouse at locations other than the primary location indicated above. The physical address of that other location(s) is:

FULFILLMENT WAREHOUSE:

WINERY:

Signature

Signature

Date

Date

Printed Name

Printed Name

Title in Fulfillment Warehouse

Title in Winery

Fulfillment warehouses licensees should send a copy of 1) this executed contract addendum for each winery client along with 2) a copy of its California Type 14 public warehouse license and 3) a letter requesting approval to the Supervisor of the Tax Management Division of the Virginia Department of Alcoholic Beverage Control at 2901 Hermitage Road, P.O. Box 27491, Richmond, VA 23261-7401. Approval will be granted via letter in response from Virginia ABC. Questions about the fulfillment warehouse approval process can be directed to Burnie Gaskill at VA ABC Headquarters at (804) 213-5594 or at dallas.gaskill@abc.virginia.gov.

Note that this draft addendum language was accepted for use by Wine Institute members by VA ABC COO Curtis Coleburn in December of 2012.