

GRANHOLM CASE

544 U.S. 460 (May 16, 2006)

- “The Twenty-first Amendment grants the States virtually complete control over whether to permit importation or sale of liquor and how to structure the liquor distribution system.” *544 US at 488*
- “States may also assume direct control of liquor distribution through state-run outlets or funnel sales through the three tier system.” *544 US at 489*
- “[The US Supreme Court has] previously recognized that the three-tier system is ‘unquestionably legitimate’.”
544 US at 489
- **“The Twenty-first Amendment ... empowers [a state] to require that all liquor ... be purchased from a licensed in-state wholesaler.”** *544 US at 489 (emphasis added)*
- A state may treat in-state and out-of-state producers in a differential fashion. The commerce clause protects out-of-state producers only if the state law **“severely limits”** the ability of out-of-state producers to compete.
544 US at 493 (emphasis added)