Hops, Barley, Apples & Laws

How to get and keep a liquor license
Determining the correct license(s) needed

• Manufacturer vs wholesaler vs brand owner
• Type of alcoholic beverages being produced
• Liquor- production method being used
• Amount of alcoholic beverages being produced
Other issues in selecting the correct license(s)

- “Farm” vs “commercial” operation
- Alternating proprietorship
- Combined craft manufacturing license
“Farm” manufacturing licenses

- Must produce alcoholic beverages using specific percentage of NYS ingredients
- Have more retail privileges than “commercial” manufacturers
- Only farm winery has to be on a farm
The application process

• Eligibility to hold license

• Items submitted with application

• Review and approval/disapproval of the application
Approvals needed after the license is issued

- Renewal
- Alterations
- Corporate changes
- Removals
Permits that may be needed

- Solicitor’s permit
- Warehouse permit
- Trucking permit
Distribution of products

- Methods of distribution
- NYS brand label registration
- 180 Day Law (for beer)
- Price Posting (for liquor and wine)
Tastings and retail sales at the licensed premises

- No retail privileges for distillers (except farm distillers)
- Brewers and Wineries- own product and that type of NYS labeled product
- Farm manufacturers- all NYS labeled products
Other retail privileges

- Operating food/eating establishment with on-premises license (not for distillers except farm distillers)
- Marketing permit
- Branch offices for farm manufacturers
- Satellite stores for wineries
Compliance issues

• Tied house laws
• Gifts and services law
• Terms of sale/ C.O.D. list
• 2nd businesses at the licensed premises
Disciplinary process

• Investigation by Enforcement Bureau

• Notice of Pleading

• Resolution by plea of hearing