

3274

2009-2010 Regular Sessions

I N S E N A T E

March 13, 2009

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to the definition of "cider"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 7-b of section 3 of the alcoholic beverage
2 control law, as amended by chapter 578 of the laws of 1978, is amended
3 to read as follows:
4 7-b. "Cider" means the partially or fully fermented juice of fresh,
5 whole apples, OR OTHER FRUITS INCLUDING BUT NOT LIMITED TO PEAR, PEACH,
6 BLACKBERRY, RASPBERRY, CHERRY, CURRANTS, AND HONEY, containing more than
7 three and two-tenths per centum but not more than seven per centum alco-
8 hol by volume, when used for beverage purposes, and to which nothing has
9 been added to increase the alcoholic content produced by natural fermenta-
10 tion. Nothing contained in this subdivision shall be deemed to
11 preclude the use of such methods or materials as may be necessary to
12 encourage a normal alcoholic fermentation and to make a product that is
13 free of microbiological activity at the time of sale. Cider may be
14 sweetened after fermentation with apple juice, apple juice concentrate,
15 OR OTHER FRUITS INCLUDING BUT NOT LIMITED TO PEAR, PEACH, BLACKBERRY,
16 RASPBERRY, CHERRY, CURRANTS, AND HONEY, or sugar, separately or in
17 combination. Cider may contain retained or added carbon dioxide. FRUIT
18 WINES WHICH ARE DERIVED WHOLLY (EXCEPT FOR SUGAR, WATER, OR ADDED ALCO-
19 HOL) FROM APPLES OR PEARS MAY BE DESIGNATED AS CIDER IF LACKING IN
20 VINOUS TASTE, AROMA, AND CHARACTERISTICS.
21 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD00660-01-9