S T A T E O F N E W Y O R K

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:

Section 1. Subdivision 7-b of section 3 of the alcoholic beverage control law, as amended by chapter 578 of the laws of 1978, is amended to read as follows:

7-b. "Cider" means the partially or fully fermented juice of fresh, whole apples, OR OTHER FRUITS INCLUDING BUT NOT LIMITED TO PEAR, PEACH, BLACKBERRY, RASPBERRY, CHERRY, CURRANTS, AND HONEY, containing more than three and two-tenths per centum but not more than seven per centum alcohol by volume, when used for beverage purposes, and to which nothing has been added to increase the alcoholic content produced by natural fermentation. Nothing contained in this subdivision shall be deemed to preclude the use of such methods or materials as may be necessary to encourage a normal alcoholic fermentation and to make a product that is free of microbiological activity at the time of sale. Cider may be sweetened after fermentation with apple juice, apple juice concentrate, OR OTHER FRUITS INCLUDING BUT NOT LIMITED TO PEAR, PEACH, BLACKBERRY, RASPBERRY, CHERRY, CURRANTS, AND HONEY, or sugar, separately or in combination. Cider may contain retained or added carbon dioxide. FRUIT WINES WHICH ARE DERIVED WHOLLY (EXCEPT FOR SUGAR, WATER, OR ADDED ALCOHOL) FROM APPLES OR PEARS MAY BE DESIGNATED AS CIDER IF LACKING IN VINOUS TASTE, AROMA, AND CHARACTERISTICS.

S 2. This act shall take effect immediately.

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

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