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

3494

2009-2010 Regular Sessions

I N S E N A T E

March 20, 2009

Introduced by Sen. VALESKY -- 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 registration of the labeling of containers of alcoholic beverages

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

Section 1. Subparagraphs 2 and 3 of paragraph (c) of subdivision 4 of section 107-a of the alcoholic beverage control law, subparagraph 2 as amended and subparagraph 3 as added by chapter 490 of the laws of 1993, are amended to read as follows:

(2) Provided, however, where a brand or trade name label has been approved by the federal [bureau of alcohol, tobacco and firearms] ALCOHOL AND TOBACCO TAX AND TRADE BUREAU, it shall be deemed registered and approved by the authority if[:

(i)] the applicant submits on a form prescribed by the authority, by registered mail, return receipt requested, a true copy of the brand or trade name label approval issued by the federal [bureau of alcohol, tobacco and firearms along with the appropriate fee as established in paragraph (d) of this subdivision; and

(ii) the authority does not deny such application within thirty days after receipt] ALCOHOL AND TOBACCO TAX AND TRADE BUREAU.

(3) Provided, however, that, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, where a brand or trade name label for [wine] AN ALCOHOLIC BEVERAGE has been approved by the federal [bureau of alcohol, tobacco and firearms] ALCOHOL AND TOBACCO TAX AND TRADE BUREAU, it shall be deemed registered and approved by the authority and no application, application fee, or annual registration fee shall be submitted to the authority.

S 2. This act shall take effect immediately.

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

LBD05428-01-9