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

5146

2011-2012 Regular Sessions

I N A S S E M B L Y

February 14, 2011

Introduced by M. of A. GABRYSZAK, GUNTHER, CAHILL, SCHROEDER, ZEBROWSKI, LUPARDO, MAGEE -- Multi-Sponsored by -- M. of A. PHEFFER, REILLY -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to wholesale purchases of wine

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

Section 1. Subparagraphs 2 and 6 of paragraph (b) of subdivision 4 of section 76-a of the alcoholic beverage control law, subparagraph 2 as amended by chapter 514 of the laws of 2006 and subparagraph 6 as amended by chapter 571 of the laws of 2008, are amended to read as follows:

(2) Food items for the purpose of [complimenting] COMPLEMENTING wine tastings[,] WHICH shall mean a diversified selection of food which is ordinarily consumed without the use of tableware and can conveniently be consumed while standing or walking. Such food items shall include but not be limited to: cheeses, fruits, vegetables, chocolates, breads and crackers.

(6) New York state labelled wine or liquors produced or manufactured by any other New York state winery or farm winery licensee or by the holder of a class A-1, B-1, or C distiller's license. Such wine or liquors may be purchased outright by the licensee from a New York winery or farm winery licensee, PURCHASED FROM A WHOLESALER LICENSED PURSUANT TO SECTION SIXTY-TWO OF THIS CHAPTER OR SECTION SEVENTY-EIGHT OF THIS ARTICLE or the holder of a class A-1, B-1, or C distiller's license or obtained on a consignment basis pursuant to a written agreement between the selling and purchasing licensee.

S 2. Subparagraphs 2 and 6 of paragraph (b) of subdivision 4 of section 77 of the alcoholic beverage control law, as amended by chapter 514 of the laws of 2006, are amended to read as follows:

(2) Food items for the purpose of [complimenting] COMPLEMENTING wine tastings[,] WHICH shall mean a diversified selection of food which is

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

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ordinarily consumed without the use of tableware and can conveniently be consumed while standing or walking. Such food items shall include but not be limited to: cheeses, fruits, vegetables, chocolates, breads and crackers.

(6) New York state labelled wine produced or manufactured by any other New York state winery or farm winery licensee. Such wine may be purchased outright by the licensee from a New York winery or farm winery licensee, PURCHASED FROM A WHOLESALER LICENSED PURSUANT TO SECTION SIXTY-TWO OF THIS CHAPTER OR SECTION SEVENTY-EIGHT OF THIS ARTICLE or obtained on a consignment basis pursuant to a written agreement between the selling and purchasing licensee.

S 3. This act shall take effect immediately.