

# STATE OF NEW YORK

3386

2023-2024 Regular Sessions

## IN SENATE

January 31, 2023

Introduced by Sens. KRUEGER, LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the alcoholic beverage control law, in relation to enacting the wine industry and liquor store revitalization act; and to repeal certain provisions of such law relating thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "wine  
2 industry and liquor store revitalization act".

3 § 2. Subdivisions 4 and 5 of section 63 of the alcoholic beverage  
4 control law, subdivision 4 as amended by section 3 of part H of chapter  
5 58 of the laws of 2019, are amended and five new subdivisions 7, 8, 9,  
6 10 and 11 are added to read as follows:

7 4. (a) No licensee under this section shall be engaged in any other  
8 business on the licensed premises. The sale of products complementary to  
9 the business of the licensed premises shall not constitute engaging in  
10 another business within the meaning of this subdivision. Such products  
11 shall include but not be limited to the sale of lottery tickets, when  
12 duly authorized and lawfully conducted, the sale of reusable bags as  
13 defined in section 27-2801 of the environmental conservation law, the  
14 sale of corkscrews or the sale of ice or the sale of publications,  
15 including prerecorded video and/or audio cassette tapes, or educational  
16 seminars, designed to help educate consumers in their knowledge and  
17 appreciation of alcoholic beverages, as defined in section three of this  
18 chapter and allowed pursuant to their license, or the sale of [~~non-car-~~  
19 ~~bonated, non-flavored mineral waters, spring waters and drinking waters~~]  
20 non-alcoholic beverages for consumption on or off premises, including  
21 but not limited to bottled water, juice and soda beverages, or the sale  
22 of tobacco products or herbal cigarettes, provided the licensee complies  
23 with section thirteen hundred ninety-nine-cc of the public health law,

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

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1 or the sale at retail of cigars which have been prepackaged by the  
2 manufacturer in boxes of ten or more, or the sale of publications  
3 designed to help educate consumers in their knowledge and appreciation  
4 of cigar products, or food items, which shall include locally produced  
5 farm products and any food or food product not specifically prepared for  
6 immediate consumption upon the premises, or the sale of gift bags and  
7 gift baskets including, but not limited to, shot glasses, single malt  
8 scotch glasses, grappa glasses, decanters, other glassware, food or farm  
9 products not specifically prepared for immediate consumption upon the  
10 premises, all of which is related to the consumption and enjoyment of  
11 wine and spirits or the sale of glasses designed for the consumption of  
12 wine, racks designed for the storage of wine, and devices designed to  
13 minimize oxidation in bottles of wine which have been uncorked, or the  
14 sale of gift bags, gift boxes, or wrapping, for alcoholic beverages  
15 purchased at the licensed premises shall not constitute engaging in  
16 another business within the meaning of this subdivision. Any fee  
17 obtained from the sale of an educational seminar shall not be considered  
18 as a fee for any tasting that may be offered during an educational semi-  
19 nar, provided that such tastings are available to persons who have not  
20 paid to attend the seminar and all tastings are conducted in accordance  
21 with section sixty-three-a of this article.

22 (b) The installation and operation of automated teller machines shall  
23 not constitute engaging in another business within the meaning of this  
24 subdivision. For purposes of this subdivision, "automated teller  
25 machine" means a device which is linked to the accounts and records of a  
26 banking institution and which enables consumers to carry out banking  
27 transactions, including, but not limited to, account transfers, depos-  
28 its, cash withdrawals, balance inquiries, and loan payments.

29 5. [~~Not more than one license shall be~~] Nothing in this section shall  
30 be construed to prohibit multiple licenses from being granted to any  
31 person under this section.

32 7. Any license obtained under this section includes authorization to  
33 sell alcoholic beverages for resale to licensed premises for on-premises  
34 consumption as licensed by sections fifty-five, sixty-four,  
35 sixty-four-a, seventy-nine-b, and eighty-one of this chapter as provided  
36 in subdivisions three-a and three-b of section one hundred two of this  
37 chapter.

38 8. Commencing on the effective date of this subdivision, no additional  
39 licenses shall be issued pursuant to this section except as outlined in  
40 subdivision nine of this section. The provisions of this subdivision  
41 shall not apply to (a) the renewal, transfer or continuance of a license  
42 pursuant to this chapter, (b) an application for a license filed before  
43 the effective date of this subdivision, (c) the issuance of a license in  
44 accordance with the provisions of this chapter, to a person who  
45 purchased the business operations of a licensee, provided, however, that  
46 any person licensed under this section shall make an application to the  
47 liquor authority prior to selling its license to another person.

48 9. Any existing license issued under this section which is canceled or  
49 revoked by the liquor authority may be auctioned off to the highest  
50 bidder, provided that the person meets all the applicable requirements.  
51 The amount of the sale of the existing license as authorized in this  
52 subdivision shall be subject to sales and compensating use tax as  
53 imposed by section eleven hundred five of the tax law.

54 10. Each existing licensee shall be authorized to apply for one addi-  
55 tional license for retail sale of liquor for consumption off the prem-  
56 ises for use in the establishment of another licensed premises, provided

1 however, the additional premises complies with all applicable  
2 restrictions and requirements. The additional license issued by the  
3 authority under this subdivision may be sold provided the purchaser  
4 meets all applicable requirements, which sale shall be subject to sales  
5 and compensating use tax as imposed by section eleven hundred five of  
6 the tax law. The authorization for the establishment of a new premises  
7 or sale of the additional license under this subdivision shall expire  
8 three years from the effective date of this subdivision.

9 11. The authority is authorized to auction off to the highest bidder,  
10 provided that the person meets all the applicable requirements, addi-  
11 tional licenses for the sale of liquor or wine or both at retail for  
12 consumption off the premises. The revenue from this sale shall be allo-  
13 cated for the increased licensure and enforcement efforts of the author-  
14 ity. The authority shall be authorized to sell no more than fifteen  
15 additional licenses every two years, beginning on April first, two thou-  
16 sand twenty-six.

17 § 3. Section 79 of the alcoholic beverage control law is amended by  
18 adding four new subdivisions 5, 6, 7 and 8 to read as follows:

19 5. Any license obtained under this section includes authorization to  
20 sell alcoholic beverages for resale to licensed premises for on-premises  
21 consumption as licensed by sections fifty-five, sixty-four,  
22 sixty-four-a, seventy-nine-b, and eighty-one of this chapter as provided  
23 in subdivisions three-a and three-b of section one hundred two of this  
24 chapter.

25 6. Commencing on the effective date of this subdivision, no additional  
26 licenses shall be issued pursuant to this section except as outlined in  
27 subdivision seven of this section. The provisions of this subdivision  
28 shall not apply to (a) the renewal, transfer or continuance of a license  
29 pursuant to this chapter, (b) an application for a license filed before  
30 the effective date of this subdivision, (c) the issuance of a license in  
31 accordance with the provisions of this chapter, to a person who  
32 purchased the business operations of a licensee, provided, however, that  
33 any person licensed under this section shall make an application to the  
34 liquor authority prior to selling its license to another person.

35 7. Any existing license issued under this section which is canceled or  
36 revoked by the liquor authority may be auctioned off to the highest  
37 bidder, provided that the person meets all the applicable requirements.  
38 The amount of the sale of the existing license as authorized in this  
39 subdivision shall be subject to sales and compensating use tax as  
40 imposed by section eleven hundred five of the tax law.

41 8. Each existing licensee shall be authorized to apply for one addi-  
42 tional license for retail sale of liquor for consumption off the prem-  
43 ises for use in the establishment of another licensed premises, provided  
44 however, the additional premises complies with all applicable  
45 restrictions and requirements. The additional license issued by the  
46 authority under this subdivision as well as any existing license issued  
47 under this section may be sold provided the purchaser meets all applica-  
48 ble requirements, which sale shall be subject to sales and compensating  
49 use tax as imposed by section eleven hundred five of the tax law. The  
50 authorization for the establishment of a new premises or sale of the  
51 additional license under this subdivision shall expire three years from  
52 the effective date of this subdivision.

53 § 4. Section 83 of the alcoholic beverage control law is amended by  
54 adding a new subdivision 10 to read as follows:

55 10. The annual fee for a grocery or drug store wine license pursuant  
56 to section seventy-nine-e of this article shall be one hundred ten

1 dollars. Where, however, the applicant is the holder of two or more such  
2 licenses, the annual fee for each additional license shall be double the  
3 amount hereinabove set forth.

4 § 5. Subdivision 2-a of section 100 of the alcoholic beverage control  
5 law, as amended by chapter 249 of the laws of 2002, is amended to read  
6 as follows:

7 2-a. No retailer shall employ, or permit to be employed, or shall  
8 suffer to work, on any premises licensed for retail sale hereunder, any  
9 person under the age of eighteen years, as a hostess, waitress, waiter,  
10 or in any other capacity where the duties of such person require or  
11 permit such person to sell, dispense or handle alcoholic beverages;  
12 except that: (1) any person under the age of eighteen years and employed  
13 by any person holding a grocery or drug store beer license shall be  
14 permitted to handle and deliver beer and wine products for such licen-  
15 see, (2) any person under the age of eighteen employed as a cashier by a  
16 person holding a grocery or drug store beer license shall be permitted  
17 to record and receive payment for beer and wine product sales when in  
18 the presence of and under the direct supervision of a person eighteen  
19 years of age or over, (2-a) any person under the age of eighteen years  
20 and employed by a person holding a grocery store or drug store beer  
21 license as either a cashier or in any other position to which handling  
22 of containers which may have held alcoholic beverages is necessary,  
23 shall be permitted to handle the containers if such have been presented  
24 for redemption in accordance with the provisions of title ten of article  
25 twenty-seven of the environmental conservation law, [~~and~~] (3) any person  
26 under the age of eighteen years employed as a dishwasher, busboy, or  
27 other such position as to which handling of containers which may have  
28 held alcoholic beverages is necessary shall be permitted to do so under  
29 the direct supervision of a person of legal age to purchase alcoholic  
30 beverages in the state, (4) any person under the age of eighteen years  
31 and employed by any person holding a grocery or drug store wine license  
32 shall be permitted to handle and deliver wine for such licensee, and (5)  
33 any person under the age of eighteen employed as a cashier by a person  
34 holding a grocery or drug store wine license shall be permitted to  
35 record and receive payment for wine when in the presence of and under  
36 the direct supervision of a person eighteen years of age or over.

37 § 6. Section 100 of the alcoholic beverage control law is amended by  
38 adding a new subdivision 2-c to read as follows:

39 2-c. No person shall sell, deliver or give away or cause or permit or  
40 procure to be sold, delivered or given away any alcoholic beverages to  
41 any person, actually or apparently, under the age of twenty-one years.  
42 As a precondition to the sale of any alcoholic beverage, the purchaser  
43 of any alcoholic beverage must provide written evidence of age. No  
44 licensee, or agent or employee of a licensee under this chapter, shall  
45 accept as written evidence of age by any such person for the purchase of  
46 any alcoholic beverage, any documentation other than: (a) a valid driv-  
47 er's license or non-driver identification card issued by the commission-  
48 er of motor vehicles, the federal government, any United States territo-  
49 ry, commonwealth or possession, the District of Columbia, a state  
50 government within the United States or a provincial government of the  
51 dominion of Canada, or (b) a valid passport issued by the United States  
52 government or any other country, or (c) an identification card issued by  
53 the armed forces of the United States.

54 § 7. Paragraph (a) of subdivision 14 of section 105 of the alcoholic  
55 beverage control law, as amended by section 1 of part EE of chapter 55  
56 of the laws of 2022, is amended to read as follows:

1 (a) No premises licensed to sell liquor and/or wine for off-premises  
2 consumption shall be permitted to remain open:

3 (i) On Sunday before [~~twelve o'clock post meridian~~] eight o'clock  
4 antemeridian and after nine o'clock post meridian.

5 (ii) On any day between [~~midnight~~] three o'clock antemeridian and  
6 eight o'clock antemeridian.

7 In any community where daylight saving time is in effect, such time  
8 shall be deemed the standard time for the purpose of this subdivision.

9 § 8. Section 105 of the alcoholic beverage control law is amended by  
10 adding a new subdivision 24 to read as follows:

11 24. Cooperative agreements by licensees to sell at retail for consump-  
12 tion on the premises. Any two or more retail licensees for off-premises  
13 consumption may join in a cooperative agreement to make joint purchases  
14 of alcoholic beverages in larger quantities than might otherwise be  
15 purchased; provided, however, that all alcoholic beverages purchased  
16 pursuant to any such agreement shall be distributed to none other than a  
17 licensee who is a party to such agreement.

18 § 9. Subdivisions 3-a and 3-b of section 102 of the alcoholic beverage  
19 control law, as amended by chapter 458 of the laws of 1993, are amended  
20 to read as follows:

21 3-a. No licensee or permittee shall purchase or agree to purchase any  
22 alcoholic beverages from any person within the state who is not duly  
23 licensed to sell such alcoholic beverage as the case may be, at the time  
24 of such agreement and sale nor give any order for any alcoholic beverage  
25 to any individual who is not the holder of a solicitor's permit, except  
26 as provided for in section eighty-five [~~ex~~], ninety-nine-g, or seventy-  
27 nine-e, or subdivision ten of section sixty-three of this chapter.

28 3-b. No retail licensee shall purchase, agree to purchase or receive  
29 any alcoholic beverage except from a person duly licensed within the  
30 state by the liquor authority to sell such alcoholic beverage at the  
31 time of such agreement and sale to such retail licensee, except as  
32 provided for in section eighty-five [~~ex~~], ninety-nine-g, or seventy-  
33 nine-e, or subdivision ten of section sixty-three of this chapter.

34 § 10. Subdivision 2 of section 79 of the alcoholic beverage control  
35 law is amended to read as follows:

36 2. [~~Not more than one license shall be~~] Nothing in this section shall  
37 be construed to prohibit multiple licenses from being granted to any  
38 person under this section.

39 § 11. Subdivision 2 of section 105 of the alcoholic beverage control  
40 law is REPEALED.

41 § 12. Subdivision 7 of section 105 of the alcoholic beverage control  
42 law is REPEALED.

43 § 13. The alcoholic beverage control law is amended by adding a new  
44 section 79-e to read as follows:

45 § 79-e. Grocery or drug store wine license. 1. Any person may apply to  
46 the authority for a license to sell from the licensed premises wine in  
47 sealed containers for consumption off such premises.

48 2. No such license shall be issued, however, to any person for any  
49 premises other than a grocery store, as defined in subdivision thirteen  
50 of section three of this chapter, or a drug store, as defined in subdivi-  
51 vision twelve of section three of this chapter.

52 3. (a) Notwithstanding any other provision of this chapter, except for  
53 good cause shown, the authority shall issue a grocery or drug store wine  
54 license to the holder of a license to sell beer at retail for consump-  
55 tion off the premises pursuant to section fifty-four of this chapter, or  
56 beer and wine products at retail for consumption off the premises pursu-

1 ant to section fifty-four-a of this chapter, at the request of such  
 2 licensee, or to the holder of a wholesaler's license issued or renewed  
 3 prior to July first, nineteen hundred sixty, and thereafter renewed or  
 4 transferred, which authorizes the holder thereof to sell beer at retail  
 5 to a person for consumption in his or her home.

6 (b) For the purposes of this subdivision, the premises of the grocery  
 7 or drug store wine licensee shall be the same as the premises licensed  
 8 under section fifty-four or fifty-four-a of this chapter.

9 (c) Notwithstanding any other provisions of this chapter, any license  
 10 issued pursuant to this section shall run concurrently with the underly-  
 11 ing license under section fifty-four or fifty-four-a of this chapter,  
 12 and shall be deemed expired at such time as the underlying license  
 13 expires.

14 (d) Wine tasting. Any person licensed to sell wine pursuant to this  
 15 article shall be permitted to conduct wine tastings. Wine tastings which  
 16 are conducted under the auspices of an official agent of a farm winery,  
 17 winery, wholesaler, or importer and where such agent is physically pres-  
 18 ent at all times during the conduct of the tasting, then, in that event,  
 19 any liability stemming from a right of action resulting from a wine  
 20 tasting as authorized pursuant to this section, and in accordance with  
 21 the provisions of sections 11-100 and 11-101 of the general obligations  
 22 law, shall accrue to the farm winery, winery, wholesaler, or importer.

23 4. Notwithstanding any other provision of this chapter, the authority  
 24 may issue a license under this section to the holder of a license to  
 25 sell wine at retail for consumption off the premises pursuant to section  
 26 seventy-nine of this article, provided that: (a) the licensee meets the  
 27 requirements of subdivision two of this section; and (b) upon issuance  
 28 of a license, the licensee under this section surrenders the license  
 29 certificate issued pursuant to such section seventy-nine.

30 5. Such application shall be in such form and shall contain such  
 31 information as shall be required by the rules of the authority and shall  
 32 be accompanied by a check or draft in the amount required by this arti-  
 33 cle for such license.

34 6. Notwithstanding any other provisions of this chapter, any person  
 35 receiving a license pursuant to this section shall not be subject to the  
 36 provisions of subdivision two, three or four of section seventy-nine of  
 37 this article.

38 7. Notwithstanding any other provisions of this chapter, any person  
 39 receiving a license pursuant to this section shall not be subject to the  
 40 provisions of paragraph (a) of subdivision three of section one hundred  
 41 five of this chapter.

42 8. (a) A one-time franchise fee shall be paid for by each retail  
 43 outlet to the state liquor authority. This franchise fee is hereby  
 44 imposed at a rate of 0.46 of one percent of the total gross sales at the  
 45 individual licensed premises of the licensee in the previous year.

46 (b) In the event an applicant has been in business for less than  
 47 twelve months prior to the filing of the application for this license,  
 48 such applicant shall, in accordance with the rules of the authority,  
 49 remit an estimate of its franchise fee based on square footage at a  
 50 licensee's location pursuant to the following schedule:

<u>Square Footage at</u>	<u>Franchise Fee</u>
<u>Licensee's Location</u>	<u>Per Location</u>
<u>0-999</u>	<u>\$825</u>
<u>1,000-1,999</u>	<u>\$1,650</u>
<u>2,000-3,999</u>	<u>\$3,300</u>

1	<u>4,000-9,999</u>	<u>\$8,250</u>
2	<u>10,000-19,999</u>	<u>\$16,500</u>
3	<u>20,000-24,999</u>	<u>\$33,000</u>
4	<u>25,000-29,999</u>	<u>\$82,500</u>
5	<u>30,000-39,999</u>	<u>\$132,000</u>
6	<u>40,000 and greater</u>	<u>\$495,000</u>

7 Within sixty days after such licensee shall have been in business for  
8 twelve months, such licensee shall submit to the authority, in accord-  
9 ance with the rules of the authority, a statement showing its actual  
10 total gross sales for the first twelve months of operation and the fran-  
11 chise fee due pursuant to paragraph (a) of this subdivision. In the  
12 event the franchise fee determined pursuant to such paragraph exceeds  
13 the amount paid pursuant to this paragraph, the licensee shall remit  
14 payment for the balance of the required franchise fee within such  
15 sixty-day period. Failure to remit payment within such sixty-day period  
16 shall be grounds for cancellation or revocation of such license. In the  
17 event that the franchise fee due pursuant to paragraph (a) of this  
18 subdivision is less than the amount paid pursuant to this paragraph, the  
19 licensee shall be entitled to a refund equal to the difference between  
20 the franchise fee paid pursuant to this paragraph and the amount due  
21 pursuant to paragraph (a) of this subdivision.

22 (c) No license shall be issued pursuant to this section until the  
23 franchise fee or estimated franchise fee under this subdivision required  
24 by either paragraph (a) or (b) of this subdivision has been paid in  
25 full.

26 (d) The franchise fee shall be deposited and disposed of in the same  
27 manner as any license fee as provided in section one hundred twenty-five  
28 of this chapter.

29 9. (a) Any person licensed to sell wine pursuant to this article that  
30 operates the premises of the grocery or drug store wine licensee that  
31 occupies less than one thousand square feet may purchase, agree to  
32 purchase or receive any alcoholic beverage from a person licensed under  
33 section sixty-three of this chapter to sell liquor at retail for  
34 consumption off the premises.

35 (b) Any person licensed to sell wine at retail for consumption off the  
36 premises under section seventy-nine of this article is authorized to  
37 sell wine to persons licensed to sell wine under this article and this  
38 section who operate the premises of the grocery or drug store wine  
39 licensee that occupies less than one thousand square feet.

40 10. The state liquor authority may make such rules as it deems neces-  
41 sary to carry out the provisions of this section, however, such rules  
42 shall not be construed to place additional limitations upon the holders  
43 of licenses issued pursuant to section seventy-nine of this article  
44 unrelated to the sale of wine.

45 § 14. Subdivision 10 of section 105 of the alcoholic beverage control  
46 law, paragraph (a) as amended by chapter 679 of the laws of 1950, is  
47 amended to read as follows:

48 10. [~~(a)~~] Each retail licensee of liquor and/or wine for off-premises  
49 consumption shall have conspicuously displayed within the interior of  
50 the licensed premises where sales are made and where it can be readily  
51 inspected by consumers a printed price list of the liquors and/or wines  
52 offered for sale therein; and no liquor and/or wine shall be sold except  
53 at the price set forth in such list[~~†~~]

54 ~~(b) No screen, blind, curtain, partition, article or thing shall be~~  
55 ~~permitted in the windows or upon the doors of such licensed premises,~~

1 ~~which shall prevent a clear view into the interior of such licensed~~  
2 ~~premises from the sidewalk, at all times, and~~  
3 ~~(c) No booth, screen, partition or other obstruction shall be permit-~~  
4 ~~ted in the interior of said licensed premises].~~

5 § 15. The alcoholic beverage control law is amended by adding a new  
6 section 97-d to read as follows:

7 § 97-d. Temporary retail permit for new applicants. 1. The authority  
8 is hereby authorized to issue a temporary retail permit to an applicant  
9 of a premises that is not licensed when the applicant has filed with the  
10 authority an application for a retail license at such premises or has  
11 filed renewal of such license. Such application shall be in writing and  
12 verified and shall contain information as the authority shall require.  
13 Such application shall be accompanied by a filing fee of seventy-five  
14 dollars.

15 2. Upon application, the authority shall issue a temporary retail  
16 permit when the applicant has filed with the authority an application  
17 for a retail license at such premises or a renewal thereof, together  
18 with all required filing and license fees. A temporary permit issued by  
19 the authority pursuant to this section shall be for a period not to  
20 exceed ninety days. A temporary permit may be extended at the discretion  
21 of the authority, for an additional thirty days.

22 3. Pursuant to this section a temporary retail permit may not be  
23 issued for any premises that is in violation of the provisions of subdi-  
24 vision seven of section sixty-four, subdivision seven of section sixty-  
25 four-a, subdivision five of section sixty-four-b, subdivision eleven of  
26 section sixty-four-c, subdivision eight of section sixty-four-d or  
27 subdivision three of section one hundred five of this chapter.

28 4. A temporary retail permit is a conditional permit and shall author-  
29 ize the holder thereof to, in the case of all other retail applications,  
30 purchase and sell such alcoholic beverages as would be permitted to be  
31 purchased and sold under the privileges of the license applied for; to  
32 sell alcoholic beverages to consumers only and not for resale; and to  
33 purchase alcoholic beverages only by payment in currency or check for  
34 such alcoholic beverages on or before they are delivered to such prem-  
35 ises.

36 5. Notwithstanding any other provision of law, a temporary permit may  
37 be summarily cancelled or suspended at any time if the authority deter-  
38 mines that good cause for such cancellation or suspension exists. The  
39 authority shall promptly notify the holder of a temporary permit in  
40 writing of such cancellation or suspension and shall set forth the  
41 reasons for such action.

42 6. Approval of, or extension of, a temporary retail license shall not  
43 be deemed as an approval of the retail application.

44 7. Notwithstanding any inconsistent provision of law to the contrary,  
45 the authority may promulgate such rules and regulations as may be neces-  
46 sary to carry out the provisions of this section.

47 § 16. Paragraph (b) of subdivision 3 of section 101-b of the alcoholic  
48 beverage control law, as amended by section 1 of part E of chapter 56 of  
49 the laws of 2006, is amended to read as follows:

50 (b) No brand of liquor or wine shall be sold to or purchased by a  
51 retailer unless a schedule, as provided by this section, is transmitted  
52 to and received by the liquor authority, and is then in effect. Such  
53 schedule shall be transmitted to the authority in such form, manner,  
54 medium and format as the authority may direct; shall be deemed duly  
55 verified by the person submitting such schedule upon its transmission to  
56 the authority; and shall contain, with respect to each item, the exact



1 brand or trade name, capacity of package, nature of contents, age and  
2 proof where stated on the label, the number of bottles contained in each  
3 case, the bottle and case price to retailers, the net bottle and case  
4 price paid by the seller, which prices, in each instance, shall be indi-  
5 vidual for each item and not in "combination" with any other item, the  
6 discounts for quantity, if any, and the discounts for time of payment,  
7 if any. For purposes of this paragraph, in regards to premises licensed  
8 under section sixty-three of this chapter, "combination" shall not  
9 include wines provided by the same vineyard or distributor to a retailer  
10 and where such wines may be different. Such brand of liquor or wine  
11 shall not be sold to retailers except at the price and discounts then in  
12 effect unless prior written permission of the authority is granted for  
13 good cause shown and for reasons not inconsistent with the purpose of  
14 this chapter. Such schedule shall be transmitted by each manufacturer  
15 selling such brand to retailers and by each wholesaler selling such  
16 brand to retailers.

17 § 17. This act shall take effect on the one hundred eightieth day  
18 after it shall have become a law.