

STATE OF NEW YORK
LIQUOR AUTHORITY

TO: All licensed distillers and farm distillers

SUBJECT: Ingredient standards for New York state labelled liquor and liquor produced by Farm Distillers

The purpose of this Advisory is to provide guidance to: 1) licensed distillers with respect to the statutory requirements to designate a product as a New York state labelled liquor, and 2) farm distillers with respect to the production of any liquor under their license.

New York state labelled liquor

Pursuant to Alcoholic Beverage Control Law (“ABCL”) Section 3(20-c), a liquor can be designated as a “New York state labelled liquor” if 75%, by volume, of the fruits, vegetables, grain and grain products, honey, maple sap or other agricultural products used are grown or produced in New York state.

Distillers

Distiller licensees are reminded that while they may import out-of-state liquor and ingredients for manufacturing purposes, they may not represent any liquor as “New York state labelled liquor” unless at least 75% of the fruits, vegetables, grain and grain products, honey, maple sap or other agricultural products utilized to produce the liquor were grown or produced in New York. As part of the licensee’s obligation under ABCL Section 103(7) to maintain adequate books and records, distillers should maintain documentation to demonstrate that any New York state labelled liquor produced by the licensee conforms to the statutory standard.

Farm Distillers

Farm distiller licensees are reminded that, pursuant to ABCL Section 61(2-c)(a)(ii), they may only produce liquor made “primarily” from farm and farm products (such as fruits, vegetables, grain and grain products, honey, maple sap or other agricultural products) grown or produced in New York state. The Authority interprets “primarily” to mean at least 75% by volume. This standard applies to each product manufactured by the farm distiller, and not the farm distiller’s overall use of ingredients in all of its liquor. As part of the licensee’s obligation under ABCL Section 103(7) to maintain adequate books and records, farm distillers should maintain documentation to demonstrate that any liquor produced by the licensee conforms to this standard.