

STATE OF NEW YORK  
LIQUOR AUTHORITY

To: All licensed manufacturers and applicant for manufacturing licenses.

Subject: Issuance of multiple manufacturing licenses for the same location

The Authority has interpreted the Alcoholic Beverage Control Law (“ABCL”) to prohibit the issuance of multiple licenses for the same location unless specifically allowed by the ABCL. This policy allows the Authority to be able to identify the licensee responsible for conduct taking place at a particular licensed premises.

Taking into consideration this interpretation of the law, legislation has been enacted to allow, in certain situations, for the issuance of multiple licenses for the same physical location. For example, special winery or special farm winery licenses (otherwise known as alternating proprietorships<sup>1</sup>) can be issued for locations where another business already operates a winery or farm winery.<sup>1</sup> A licensee with a distiller, winery or farm winery license can obtain a farm distiller license for the same premises.<sup>2</sup> The farm brewery law, which becomes effective on January 14, 2013, will allow farm distiller and farm winery licensees to obtain a farm brewery license for their existing locations.

Allowing a business to have multiple manufacturing licenses at the same location, or different manufacturers to share the same location, reduces the financial burden on small businesses associated with operating separate manufacturing sites. In addition, the Authority’s concerns with being able to identify the licensee responsible for conduct taking place at the licensed premises are less relevant with respect to manufacturers. Violations by manufacturers are far less common than those by retailers and the record keeping requirements imposed by both federal and state law on manufacturers makes it much easier to ascertain responsibility among multiple manufacturing licensees at the same location.

Accordingly, multiple manufacturing licenses, either for the same entity or different entities, may be issued for the same location.

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<sup>1</sup> See ABCL §76-c, §76-d and §111.

<sup>2</sup> See ABCL §61(2-c)(d).