

STATE OF NEW YORK
LIQUOR AUTHORITY

To: Farm winery licensees

Subject: Transporting New York state labeled wine belonging to other wineries
and farm wineries

Section 116 of the Alcoholic Beverage Control Law (“ABCL”) allows licensees to deliver their products in their own vehicles without the need of a separate trucking permit. ABCL section 76-a(6)(d) allows a farm winery to also transport New York state labeled wine produced by another licensed winery or farm winery in the farm winery’s vehicle without a separate trucking permit. However, section 76-a(6)(d) limits such deliveries of wine from other wineries and farm wineries to: on-premises retail licensees; off-premises retail licenses; and any other person authorized to receive or purchase the wine.

The Authority has received inquiries as to whether farm wineries can transport New York state labeled wine produced by other wineries and farm wineries to other venues, such as farmers markets and events where the wine will be tasted or sold by the bottle as authorized by the ABCL or a permit issued by the Authority. In the view of the Members of the Authority, the language of section 76-a(6)(d) allows for the delivery of such wine by the farm winery to any place where the wine can be sold. This would include farmers markets and other venues where the wine can be sold at retail.