



# State Liquor Authority

**KATHY HOCHUL**  
Governor

**LILY M. FAN**  
Commissioner

**VINCENT G. BRADLEY**  
Chairman

**GREELEY FORD**  
Commissioner

## AUTHORITY ANNOUNCES WRITTEN PERMISSION FOR YEAR-END RETAILER INVENTORY REPLENISHMENT

October 19, 2021

The New York State Liquor Authority (the "Authority") is in receipt of requests from wholesalers for relief from posted price schedules to facilitate traditional year-end retailer inventory replenishment. Pursuant to Alcoholic Beverage Control Law ("ABCL") Sections 101-b(3)(a) and 101-b(3)(b), the Authority, "upon good cause shown and for reasons not inconsistent with the purpose of this chapter," can grant written permission to sell alcoholic beverages at other than the prices posted pursuant to ABCL Section 101-b. On June 26, 2019, the Members of the Authority at a Full Board meeting, among other things, delegated to the Counsel to the Authority the power to act on requests for written permission.

Pursuant to that Delegation of Power, Counsel to the Authority hereby grants the following relief in an effort to provide retailers with sufficient time to restock their liquor and wine inventories using wholesalers' traditionally lower December prices:

- Wholesalers of liquor and wine may accept retailer orders until the close of business on Tuesday, January 4, 2022 utilizing December 2021 prices. (January 2022 posted prices will also be available as usual, and retailers will be able to order from either or both.)
- All orders placed from Thursday, December 30, 2021 to 6:00 pm on Tuesday, January 4, 2022 at December 2021 posted prices must be delivered to retailers no later than Friday, January 7, 2022 (Tuesday, January 11, 2022 for upstate North of Westchester County).
- In addition, all retailer orders placed from Thursday, December 30, 2021 through 6:00 pm on Tuesday, January 4, 2021 are eligible for delivery to "bill and hold" with no storage charges being applied to same as long as such orders are ultimately delivered to retailers no later than close of business on Friday, January 7, 2022 (Tuesday, January 11, 2022 for upstate North of Westchester County). All such orders must be invoiced to "bill and hold" as of the date of the placement of the retailer order, and final retailer payment dates for such orders shall be 30 days after the placement of the retailer order. Said free "bill and hold" storage applies only to invoices dated Thursday, December, 30, 2021 to Tuesday, January 4, 2022 and which utilize December, 2021 pricing. All invoices that include items at January, 2021 prices are not eligible for free "bill and hold" storage, and will be considered a violation of the gifts and services prohibition set forth in Alcoholic Beverage Control Law section 101(1)(c). Moreover, normal storage charges must be

assessed against any goods which were purchased at December, 2021 prices and placed in storage but which have not been delivered to the retailer by close of business on Friday, January 7, 2022 (Tuesday, January 11, 2022 for upstate North of Westchester County).

A handwritten signature in black ink, appearing to read 'GM', is written over a solid horizontal line.

Gary Meyerhoff  
GENERAL COUNSEL