

NEW YORK STATE LIQUOR AUTHORITY
FULL BOARD AGENDA
MEETING OF 03/30/2022
REFERRED FROM: COUNSEL'S OFFICE

2021- 00652A

REASON FOR REFERRAL
REQUEST FOR DIRECTION

REQUEST FOR DECLARATORY
RULING -
WW AND IL LICENSES IN THE
SAME PREMISES

The Members of the Authority at their regular meeting held at the Zone 2 Albany Office on 03/30/2022 determined:

BERNSTEIN REDO, P.C.
-ATTORNEYS AT LAW-

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October 20, 2020

Sent via E-Mail: Gary.Meyerhoff@sla.ny.gov

Gary Meyerhoff, Esq.
Counsel
New York State Liquor Authority
80 South Swan Street, Suite 900
Albany, New York 12210-8002

Re: Request for Declaratory Ruling Regarding Use of a Wholesale
Wine License and a Importer License in a Single Licensed Space

Dear Counsel Meyerhoff:

We represent a licensed wholesaler (the “**Licensee**”) interested in applying for a second wholesale license to use at its existing licensed premises. Specifically, the Licensee currently holds a Wholesale Wine (WW303) license to import and distribute wine wholesale-to-wholesale and wholesale-to-retail and is now interested in applying for a New York Importer License (IL208). This letter shall constitute a request for a declaratory ruling pursuant to Rule 98.1 of the Rules of the New York State Liquor Authority (“**Authority**”) that, under the facts presented below, Licensee would be permitted to utilize both a WW303 and IL208 at a single licensed premises/office space notwithstanding the requirements of Bulletin 254.

I. Background

Licensee currently holds an Authority-issued wholesale wine (“**WW**”) license and operates from licensed office space in New York. Pursuant to its active license, Licensee successfully imports and distributes wine wholesale-to-retail and wholesale-to-wholesale throughout the state as well as to other states where it holds similar wholesale-class licenses. The Licensee would like to enter the spirits market to expand its portfolio and, although a full wholesale liquor license is cost prohibitive at the moment, the Authority’s Importer License (“**IL**”) could allow the company to slowly grow its spirits business without significant expenditure. Inasmuch as Licensee already has office space and staff in New York, it makes operational and economic sense for Licensee to operate both licenses from a single licensed premises. However, Authority Bulletin 254 does not permit a wholesaler to apply for (and operate) a license in a premises associated with an existing license.

II. Statutory Authority and Bulletin 254

ABCL § 78 controls the issuance of WW licenses by requiring that applicants follow the procedures and regulations of ABCL § 62, the section of the statute that governs wholesale liquor

licenses. IL licenses, however, are codified in a separate section, ABCL § 61-B. In full, ABCL § 61-B reads:

61-b. Importer's license. An importer's license shall authorize the holder thereof to import alcoholic beverages into this state and sell such alcoholic beverages to licensed wholesalers authorized to sell such alcoholic beverages.

ABCL § 61-B.

Regardless of the different statutory authority for issuing licenses, all wholesale class licenses – including WW and IL licenses – are governed by ABCL § 104, “Provisions Governing Wholesalers,” a section which sets forth seven obligations and prohibitions for wholesale activities. The requirements for wholesalers pursuant to ABCL § 104 are summarized as follows:

1. Wholesalers may not engage in other businesses on the premises to be licensed (with specific exceptions identified in ABCL § 104(1)(a));
2. Wholesalers may only deliver products in original and sealed containers;
3. Wholesalers must have a sign outside their premises that conforms with specific size, typeface and information mandates by the Authority;
4. Wholesalers may only transport alcohol in vehicles owned or operated by the licensee and/or with proper signage;
5. Wholesalers may only deliver goods to licensed retailers using permitted transportation;
6. Wholesalers must maintain adequate books and records on the licensed premises; and
7. Wholesalers may not provide signs to retailers (unless otherwise permitted).

ABCL § 104 (1)-(11). Of the wholesaler obligations listed above, perhaps the most important is that licensees must keep adequate books and records. The specific ABCL provision on books and records states, in relevant part:

Each wholesaler shall keep and maintain upon the licensed premises, adequate books and records of all transactions involving the business transacted by such wholesaler, which shall show the amount of alcoholic beverages in gallons, purchased by such wholesaler together with the names, license numbers and places of business of the persons from whom the same was purchased and the amount involved in such purchases, as well as the amount of alcoholic beverages, in gallons, sold by such wholesaler together with the names, addresses, and license numbers of such purchasers whether the same shall be purchased or sold within or without the state. Each sale shall be recorded separately on a numbered invoice, which shall have printed thereon the number, the name of the licensee, the address of the licensed premises, and the current license number.

ABCL § 104 (10).

The books and records obligation of ABCL § 104 is actually incorporated into wholesale applications via Bulletin 254, (issued December 1, 1953), an executed copy of which is required as part of an applicant’s initial submission to the Authority. In short, Bulletin 254 establishes

“minimum office requirements for . . . licensees operating more than one wholesale premises within the State of New York” which includes, generally, the following four requirements:

1. The licensed premises must be physically separated from any other premises;
2. No other business may be conducted on the licensed premises;
3. The premises must be in charge of any employee of the licensee, and open during regular business hours; and
4. The books and records must be kept on the licensed premises.

Although all four of the above requirements are identified in the document, the bulk of Bulletin 254 serves to detail relevant portions of the Authority’s books and records obligation. *A copy of Bulletin 254 is annexed hereto as Attachment 1.*

The statutory authority for the requirements contained within Bulletin 254 appear primarily based in ABCL § 104, specifically requirement number four (books and records pursuant to ABCL § 104(10)), and requirement number two (“[n]o wholesaler shall be engaged in any other business on the premises to be licensed” pursuant to ABCL § 104(1)(a)). The statutory basis for requirement number three – that the licensed premises is in the charge of any employee of the licensee and open during regular business hours – is assumed to be related to the general provisions of ABCL § 62.¹

However, the “physical separation” requirement of Bulletin 254 does not seem to have specific statutory authority. Based on the original purpose of Bulletin 254 being used to ensure that out-of-state wholesalers were operating legitimate wholesale businesses pursuant to the relevant laws of the State of New York, it fits that this requirement, too, may stem from general concerns that applicants intend bona fide operations under ABCL §§ 62 and 104.

In consideration of all of the above, an active WW license holder is permitted to apply for and hold an IL license as a second wholesale-class license. This much is clear. However, due to the requirement that a wholesaler execute a copy of Bulletin 254 as part of its application, an active WW license holder would not be able to operate an IL license from its existing licensed premises using the same staff because the two licenses would not be physically separate from one another.

III. The “Physical Separation” Requirement of Bulletin 254 Should Not Prohibit a Licensee from Operating WW and IL Licenses in the Same Licensed Premises

Our contention, as detailed below, is that (i) a wholesaler can maintain both a WW and a IL license at the same licensed premises in compliance with ABCL §§ 104 and 62 (as applicable to an IL license), notwithstanding the imposition of Bulletin 254’s “physical separation” requirement, and (ii) inasmuch as the “physical separation” requirement does not appear to have

¹ ABCL Section 62 states that licenses are issued to principals and premises pursuant to the information identified in application materials: “If the liquor authority shall grant the application it shall issue a license in such form as shall be determined by its rules. Such license shall contain a description of the licensed premises and in form and in substance shall be a license to the person therein specifically designated to sell liquors at wholesale in the premises therein specifically licensed to duly licensed wholesalers, retailers and permittees in this state.”

specific statutory authority, actually frustrates the underlying policy goals of the IL license, and is against Authority precedent, Bulletin 254 should be modified to not apply to existing WW licensees seeking IL licenses or otherwise not prevent the issuance of such licenses in a single licensed premises.

First, it is clear that a wholesale licensee can operate a WW license and a IL license out of a single space while conforming to the requirements of ABCL §§ 104, 62 (as applicable) and 61-B. As noted above, ABCL § 104 requires wholesalers conform operations to seven specific mandates, all of which could be adhered to by a licensee holding both a WW and a IL license at a single office space: a wholesaler with the two wholesale-class licenses would be engaged in only the wholesale/import business, would deliver product in sealed containers and in authorized vehicles for both licenses to licensed retailers, and would have updated signage to include information about the second license. It is also unlikely that a wholesaler with both a WW and a IL license would be any more susceptible to violating any of the prohibitions of ABCL § 104.

Practically, the only aspect of ABCL §§ 104 or 62 that may have presented a challenge decades ago would have been the books and records provisions of the statute. However, with the advent of commonly available accounting software and the use of computers and two phone lines, licensees holding both WW and IL licenses can effectively separate business to ensure that records comply with ABCL § 104.

Second, the physical separation requirement of Bulletin 254 should not apply to IL applications (without an exception as requested) because, as applied, the practical implications produce a result contrary to the intent and original policy goal of the IL license. On information and belief, the creation of the IL license in 2016 was part of an effort by the Authority to reduce the burden on wholesale licensees that had limited operations in New York: in exchange for the reduced fees, the new IL licensee would have restricted privileges yet still be under the jurisdiction of the Authority. As explained in the bill jacket that accompanied the statutory change introducing the IL:

Small businesses that import products into the state to be wholesaled by other entities must currently choose between: (i) obtaining a costly wholesale license; or (ii) moving their business outside of New York State. The importers license will enable them to stay in New York State and operate with an inexpensive license.

Bill Jacket, L 2016, ch 297 at 7. Indeed, the introduction of the IL license has allowed smaller wholesalers to compete with larger operators in New York, as well as provided a path for new industry members to test the New York market without being saddled with a \$19,200 license. Yet the application of Bulletin 254, as currently written, would require an existing licensee in New York that applies for an IL license to obtain new office space, new business infrastructure, and hire new employees to man a new office despite such licensee already having an adequate setup for the same purpose under its existing license. Ironically, the imposition of Bulletin 254 on an IL license is actually creating a problem which the introduction of the IL license itself was designed to alleviate four years ago.

Third, the Authority allowing an entity to operate two licenses within a single licensed premises has precedent. The Authority already permits several very similar arrangements to that proposed here; combined craft licenses were created to allow multiple manufacturing licenses in a

single space, alternating proprietorship arrangements provide multiple licensees the ability to use one licensed space, and manufacturing licensees may now obtain separate on-premises licenses for operation within the one existing licensed site. Similar to the proposed operation here, these licensees are currently permitted to have two licenses operate in one licensed premises without issue. The combined craft arrangement mentioned above was even a recommendation from the same working group that suggested the creation of the IL license at issue here and, further, both proposals were introduced into the ABCL under the same bill in 2016.

Here, the Licensee that holds the WW license and now seeks an IL license would like to make use of both wholesale class licenses for distinct purposes: the IL license would permit the entity to enter the spirits market while the WW license permits it to continue its current wine operation uninterrupted. The Licensee intends to use both licenses from the same premises using the same staff because it is in compliance with the ABCL and makes sense operationally and economically. To ensure it remains in compliance, Licensee has agreed to install appropriate safeguards to ensure the licenses are used properly. For example, the Licensee would have two separate phone lines – one for each license – so as to avoid any confusion on the part of buyers, as well as operate two separate sets of books and records via computer software. Further, all invoices will include the appropriate serial numbers of the Licensee selling the product and, in the event the Licensee were selling both wine and spirit products to a wholesaler, the Licensee would produce two invoices. Of course, all records will be maintained within the licensed premise, but will be easily distinguishable and separated. Finally, there will be no product stored on site as the Licensee currently utilizes a warehouse and, if approved for the second license, the Licensee would separate goods by license number therein.

Holding both licenses would be a material benefit to the Licensee in terms of the upfront costs as well as the annual costs of operating. As referenced, the Licensee's proposed sale of spirits is a new venture and the viability of quickly finding a product to distribute successfully to justify the amount of the traditional wholesale liquor license is unlikely. Expecting the Licensee to sign a new lease, hire new employees and build an office is contrary to the legislature's stated purpose for the IL license and, practically, unreasonable given the Licensee's existing business in the state.

In consideration of the above, we respectfully request the Authority issue a declaratory ruling identifying that a WW licensee may apply for, and operate, an IL license from a single license premises notwithstanding Bulletin 254 or, alternatively, via an amended Bulletin 254 without the "physical separation" requirement.

Respectfully,

Benjamin Savitsky
Benjamin Savitsky

Enclosure

Attachment 1: Bulletin 254



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

(Series 1953)
 Bulletin #254
 December 1, 1953

STATE OF NEW YORK
 LIQUOR AUTHORITY

TO: MANUFACTURERS/WHOLESALERS/IMPORTERS

SUBJECT: MINIMUM OFFICE REQUIREMENTS FOR OUT-OF-STATE WHOLESALERS
 AND LICENSEES OPERATING MORE THAN ONE WHOLESALE PREMISES
 WITHIN THE STATE OF NEW YORK.

Paragraph 4 of Bulletin #79, issued under date of January 30, 1942, is hereby rescinded. This paragraph dealt with the minimum office requirement for out-of-state wholesalers. These requirements are restated herein and amplified in order to include requirements for licensees operating more than one wholesaler premises within this state. New matter is underlined>.

Wholesale licensees having their principal offices in another state and wholesale licensees operating more than one licensed premise within the state are required to observe the same provisions of the law governing wholesalers as licensees operating one principal office within the state. Inquiries have been received from such licensees as to the proper method of operating the licensed premises in this state, particularly with respect to the books and records which are to be kept. For the information and guidance of wholesale licensees, the liquor authority has laid down the following minimum office requirements.

1. The licensed premises must be physically separated from any other premises.
2. No other business may be conducted on the licensed premises.
3. The premises must be in charge of any employee of the licensee, and open during regular business hours.
4. The books and records must be kept on the licensed premises, which shall show:
 - a. All purchases of alcoholic beverages made within or without the state by the New York licensee, together with the names, addresses and license numbers of the persons from whom the same were purchased. A separate record must be kept of all alcoholic beverages which a branch office receives from the main office which is licensed within the state.
 - b. All sales of alcoholic beverages made within the state, together with the names, addresses and license numbers of purchasers, including invoices and delivery receipts. A separate record must be kept of all shipments of alcoholic beverages made to the main office of the licensee which is licensed within the State of New York.
 - c. The receipt of all payments for alcoholic beverages sold within the state.
 - d. The names and addresses of all employees operating within the state, together with their salaries or commissions and permit numbers. Where the licensee operates more than one premise within the state and where complete records are maintained on a licensed premise within the state and available for inspections, duplicate records of these items are not required to be kept on the premises of the branch office.
 - e. All expenditures for the maintenance or operations of the New York licensed premises or branch office. Where the licensee operates more than one premise within the state and where complete records of expenditures for the maintenance or operation of all branch offices are maintained on a licenses premise within the state and available for inspection duplicate records of these items are not required on the premises of the branch offices.

All out-of-state wholesalers who are unable to keep the original records on the licensed premises in this state, must apply to the State Liquor Authority in writing for permission to keep duplicate records in place of the originals.

I have read and will comply with Bulletin #254

 Signature of Authorized Principal

 Date

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”) can be issued for locations where another business already operates a winery or farm winery.¹ A licensee with a distiller, winery or farm winery license can obtain a farm distiller license for the same premises.² 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.

¹ See ABCL §76-c, §76-d and §111.

² See ABCL §61(2-c)(d).

STATE OF NEW YORK
LIQUOR AUTHORITY

To: Manufacturers and wholesalers holding multiple licenses

Subject: Deliveries of alcoholic beverages

Section 116 of the Alcoholic Beverage Control Law (“ABCL”) allows licensees to transport their alcoholic beverages in vehicles owned and operated, or hired and operated, by the licensee. That statute requires that there be a sign on both sides of the vehicle setting forth the name and address of the licensee, together with such other information as the Authority may require. By regulation,¹ the Authority requires that the sign also include the licensee’s serial number. As an alternative to the sign, section 116 allows the licensee to have a copy of its current license certificate in the cab of the vehicle.

The Authority routinely receives inquiries from manufacturers and wholesalers with multiple licenses asking whether they can deliver all of the products manufactured or sold under the various licenses in the same vehicle at the same time. Given the language of the statute and the regulation referring to the “license” and the “serial number,” the Authority had taken the position that only product manufactured or sold pursuant to one license could be transported in a licensee’s vehicle at any given time.

For example, a company holding a beer wholesale license and a liquor wholesale license would not be able to deliver beer and liquor together in the same vehicle to retailers. A delivery of beer could be made with the sign indicating the beer wholesaler license serial number (or a copy of the beer wholesale license certificate). A separate delivery of liquor could be made in the same vehicle, but only with a sign indicating the liquor wholesaler license serial number (or a copy of the liquor wholesale license certificate).

In the view of the Members of the Authority, such a reading of the statute and regulation is not necessary and creates an undue hardship on manufacturers and wholesalers with multiple licenses. Accordingly, licensees with multiple licenses may transport any and all alcoholic beverages they manufacture or sell in the same vehicle at the same time, provided that copies of all relevant licenses are maintained in the cab of the vehicle.

¹ Section 67.1(b) of the Rules of the Authority

MEMORANDUM

TO: Steven R. Becker, Executive VP & Treasurer (SGWS)

FROM: Mark A. Koslowe, Esq.

RE: Proposed New York State Liquor Authority ("SLA" or "Authority") Advisory to allow the issuance of Importer's License on the premises of a Wholesale Licensee

DATE: February 10, 2021

When issuing licenses to licensees, the SLA not only reviews the applicants but also requires information on the demised premises for the prospective license, including photos and diagrams (sample application attached). The Authority, via its enforcement procedures, can even issue a proscription on a premises such that no license can be issued for the premises for up to two years (§113 NY ABCL). Absent specific statutory language, SLA will only issue one license to a specific premises. The source for this is a combination of §111 NY ABCL, which restricts a license to a specific demised premise absent SLA permission to transfer, and the SLA's interpretation (over many years) of the statutes authorizing licenses which allows the activity authorized only on the demised premises to the exclusion of any other activity not covered by the license (e.g. §104 ABCL).

The statutory authorization for each type of Wholesale license, whether Liquor, Wine or Beer, (§§53, 62 and 78) states that:

"Such license shall contain a description of the licensed premises and in form and in substance shall be a license to the person therein specifically designated to sell [liquors] at wholesale in the premises therein specifically licensed to duly licensed wholesalers, retailers and permittees in this state,..."

Based on the above, no other license could be issued to a demised premises containing one of these wholesale licenses, absent specific language. A clear example of allowing a different license to be issued to the same entity at a demised premises, is a Wholesale Cider license.

The section below specifically authorizes the issuance of a Wholesale Cider License on the premises of a Wholesale Beer licensee.

"§ 58-a. Sale of cider by wholesale beer licensees. A wholesale beer licensee, as defined under this chapter shall, upon the payment of an additional annual license fee of one hundred twenty-five dollars, be permitted to sell cider as defined under this chapter at wholesale from duly licensed premises, to duly..."

The statutory exception of allowing multiple types of licenses at one demised premise also exists for various manufacturing licenses (there are many examples, but the more readily discernable

include the ability to have farm manufacturers on the premises of authorized non-farm manufacturers, see §61-a).

The law involving Importer Licenses has no language allowing issuance at other licensed premises ... but in all aspects operates the same as any Wholesale licensee except 1) it may only sell to the wholesale trade and 2) is licensed only to bring product into NY State: one cannot use an Importer's License to "import" product from a NYS manufacturer.

Based on the reasoning set forth above, in order for an Importer's License to be issued to the premises of a Wholesale Licensee a ruling from the Members would be needed, consistent with their discretionary authority under §111 ABCL.

§ 61-b. Importer's license. An importer's license shall authorize the holder thereof to import alcoholic beverages into this state and sell such alcoholic beverages to licensed wholesalers authorized to sell such alcoholic beverages.

§ 62. Wholesaler's liquor license. Any person may apply to the liquor authority for a license to sell liquor at wholesale. Such application shall be in writing and verified and shall contain such information as the liquor authority shall require. Such application shall be accompanied by a check or draft for the amount required by this article for such license. If the liquor authority shall grant the application it shall issue a license in such form as shall be determined by its rules. Such license shall contain a description of the licensed premises and in form and in substance shall be a license to the person therein specifically designated to sell liquors at wholesale in the premises therein specifically licensed to duly licensed wholesalers, retailers and permittees in this state, and to sell liquor in bulk to a licensed rectifier or to a permittee engaged in the manufacture of products which are unfit for beverage use, for use in the manufacture of products produced and sold by such rectifier or permittee, and to sell or deliver liquor to persons outside the state pursuant to the laws of the place of such sale or delivery. Such a license shall also include the privilege to sell wine at wholesale under the same terms and conditions without the payment of any additional fee.

§ 53. Wholesaler's license. Any person may apply to the liquor authority for a license to sell beer at wholesale. Such application shall be in writing and verified and shall contain such information as the liquor authority shall require. Such application shall be accompanied by a check or draft for the amount required by this article for such license. If the liquor authority shall grant the application it shall issue a license in such form as shall be determined by its rules. Such a license shall contain a description of the licensed premises and in form and in substance shall be a license to the person therein specifically designated to sell beer at wholesale in the premises therein specifically licensed to duly licensed wholesalers, retailers and permittees in this state, and to sell or deliver beer to persons outside the state pursuant to the laws of the place of such sale or delivery. A wholesalers license issued or renewed prior to July first, nineteen hundred sixty, and thereafter renewed or transferred, shall authorize the holder thereof to sell beer at retail to a person

for consumption in his home; provided, however, that regardless of the date issued, renewed or transferred, a wholesaler's license issued to a brewer or to the wholly-owned subsidiary of a brewer, shall authorize the holder thereof to sell beer at retail to a person for consumption in his home.

§ 58-a. Sale of cider by wholesale beer licensees. A wholesale beer licensee, as defined under this chapter shall, upon the payment of an additional annual license fee of one hundred twenty-five dollars, be permitted to sell cider as defined under this chapter at wholesale from duly licensed premises, to duly licensed beer, wine and liquor retailers and to other holders of licenses under this chapter, in bottles, barrels or casks, and to sell and deliver cider to persons outside the state pursuant to the laws of the place of such delivery. The provisions of section fifty-seven shall apply to licenses issued hereunder to sell cider at wholesale pursuant to the provisions of this section.

§ 78. Wholesaler's wine license. 1. The procedure contained in section sixty-two hereof shall apply so far as applicable to applications for a wholesaler's wine license. Such license shall contain a description of the licensed premises and in form and in substance shall be a license to the person therein specifically designated to sell wine at wholesale in the premises therein specifically licensed in the original sealed containers of not more than fifteen gallons each to duly licensed manufacturers, wholesalers, retailers and permittees in this state, and to sell or deliver such wine to persons outside the state pursuant to the laws of the place of such sale or delivery.

2. Upon payment to the liquor authority of an additional annual fee of one hundred twenty-five dollars, the liquor authority may in its discretion and upon such terms and conditions as it may prescribe, issue to a wholesale wine licensee upon application therefor a certificate authorizing such wholesaler to sell wine at retail in sealed containers to a regularly organized church, synagogue or religious organization for sacramental purposes.

§ 104. Provisions governing wholesalers. 1. (a) No wholesaler shall be engaged in any other business on the premises to be licensed; except that nothing contained in this chapter shall:

§ 111. License to be confined to premises licensed. A license issued to any person, pursuant to chapter one hundred eighty of the laws of nineteen hundred thirty-three or this chapter, for any licensed premises shall not be transferable to any other person or to any other premises or to any other part of the building containing the licensed premises except in the discretion of the authority. It shall be available only to the person therein specified, and only for the premises licensed and no other except if authorized by the authority. Provided, however, that the provisions of this section shall not be deemed to prohibit the issuance of a license under section seventy-six-b or seventy-six-c of this chapter. For the purposes of this section each railroad car and each vessel shall be deemed premises separately to be licensed.

§ 61-a. Combined craft manufacturing license. 1. The authority may issue a combined craft manufacturer's license to a person for the

purposes of articles four, four-a, five and six of this chapter, combining the privileges of two or more farm or micro manufacturing licenses for use at one premises.

2. The license fee for the combined license shall equal the sum of the license fees for each of the licenses included in the combined license. Provided, however, that only one filing fee shall be required for any combined license.

3. The license certificate of the combined license shall set forth the licenses that are included under the combined license.

4. A combined farm manufacturer's license may combine two or more of the following licenses: farm meadery; farm brewery; micro-brewery; farm cidery; farm winery; micro-distillery; micro-rectifier; and farm distillery. Provided, however, that the licensed premises for a combined farm manufacturer's license that includes a farm winery license must be located on a farm.