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Governor

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Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2022-4

Subject: Publication of newspaper notification required by ABC Law §110-a

For certain license applications, the applicant is required to publish a notice in the local newspaper to advise the public that it has filed an application. This advisory provides guidance regarding who must give this notice; what must be in the notice; where, how often and when the notice must be published; and how the applicant proves that the notice was published.

Which applicants must publish the notice?

Any applicant for on-premises license must publish the notice. This includes on-premises liquor, on-premises wine, and on-premises beer licenses. If an applicant for a manufacturing license is also applying for an on-premises license for its manufacturing location or branch office, it must publish the notice for the on-premises license.

What must be in the notice?

§110-a requires the following language in the notice...

Notice is hereby given that license number [insert serial number] for [liquor/ wine/ beer] has been applied for by the undersigned to sell [liquor/ wine/ beer] at retail in a [type of establishment] under the alcoholic beverage control law at [street address, name if city, town or village, and county name] for on-premises consumption.

*[Name of licensee]
[Address of licensee]*

Please keep in mind the following:

- The notice only needs to state liquor, wine, or beer, depending on whether the applicant is seeking an on-premises liquor, on-premises wine, or on-premises beer license. The notice does not have to list all the types of alcoholic beverages that can be sold under the license.
- For the type of establishment, stating “on-premises” or something similar is not sufficient. The notice must describe the type of establishment, such as restaurant, hotel, catering establishment, etc.

Sworn to before me this day
of

The ABC Law requires that the applicant submit a copy of the proof of publication to the Authority within 15 days after receiving it from the newspaper. However, the Authority will allow the submission of the proof of publication (not the publication itself) to be one of the conditions of approval.

When does the guidance in this advisory go into effect?

If an applicant has already published the required notice as of the date of this advisory, the failure of the notice to comply with the above requirements will not be considered a deficiency in the application or result in the disapproval of the application. A notice published after the date of the advisory must comply with the above requirements.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on June 22, 2022 before Chairman Vincent Bradley, Commissioner Lily Fan, and Commissioner Greeley Ford. The above written advisory was approved by Chairman Bradley on behalf of the Members of the Authority on June 24, 2022.

Dated: 06/24/22


Donald Roper
Secretary to the Authority