
DECLARATORY RULING

BevSign LLC

Agenda # 03/13/2025-058K

Question Presented

Does the proposed installation of electronic digital display signs by BevSign LLC in New York State licensed, off-premises retail stores violate the New York State Alcoholic Beverage Control Laws or the Rules of the New York State Liquor Authority?

Statement of Facts

- BevSign is a digital signage company that offers alcoholic beverage manufacturers and wholesalers advertising at licensed retail premises via digital electronic display screens.
- BevSign has no interest in any manufacturer, distributor or retailer of alcoholic beverages. No manufacturer, distributor, or retailer has an interest in BevSign.
- BevSign proposes that it be allowed to loan free of charge digital screens ranging from 21 inches to 55 inches which can display on one or both sides to off-premises licensees. Where feasible, the screen would be placed in the window of the business. The screen is a commercial display with a media player, does not have the capability of a television, and thus cannot play regular programming.
- Licensees will advertise their own products, tastings, and promotions for up to twenty percent of the time that the screens are in use. The remaining eighty percent of screen time would be sold as advertising space to manufacturers and wholesalers.
- Retailers would not be required to purchase products from manufacturers or wholesalers who advertise, and no payments are made to the retailer.
- Retailers will receive no advertising fees paid by manufacturers and wholesalers.

Applicable Law

Section 101(1)(c) of the Alcohol Beverage Control Law (ABCL) prohibits, with certain exceptions, a licensed manufacturer or wholesaler from making any gift or providing any service to a licensed retailer which in the judgement of the Authority may tend to influence the retailer to purchase the products of the manufacturer or wholesaler. Section 86.1 of the Rules of the Authority prohibits a licensed retailer from accepting such gifts and services. Section 86.4(b) of the Rules of the Authority specifically prohibits manufacturers and wholesalers from directly or indirectly paying a retailer for displaying a sign inside their premises, or for any expense incidental to its operation. Under Rule 83.1(a) signs are defined to include electric display and may be placed in the interior of the licensed premises or in the inside window display pursuant to Rule 83.3(b) and (c).

Determination of the Members

BevSign receives revenue from alcoholic beverage manufacturers advertising their products on BevSign's display screens. Under BevSign's proposed business model, no direct or indirect payments are made to retailers by wholesalers or manufacturers. BevSign makes no payment to retailers. Instead, in exchange for using the BevSign display screens at a retailer's licensed premises, retailers are permitted to create and display customized content programming on the media device advertising their own business establishment, up to 20% of total advertising content. Any benefit conveyed to the retailer is thus limited and provided directly and solely from BevSign, a non-licensed entity. The sign may be placed inside the window subject to local regulations of outward-facing electronic digital display signs. BevSign's proposal does not violate the ABCL or the Rules of the Authority. BevSign is therefore permitted to implement its business model.

This Ruling is limited to the facts and the parties set forth in the request and shall not be considered as approval for any other proposal.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on March 13, 2025 before Chair Lily Fan, Commissioner Edgar De Leon, and Commissioner John Maya. The above written ruling was approved by Chair Fan on behalf of the Members on April 8, 2025.

Dated: 06/23/25



Donald R. Roper
Secretary to the Authority