



Retail-to-Retail Sales: Frequently Asked Questions

What is the new law?

Chapter 613 of the Laws of 2025 allows limited sales of wine and liquor from off-premises retail licensees (liquor stores and wine stores) to on-premises retail licensees (restaurants, bars, and taverns).

This gives restaurants and bars a way to make small, supplemental purchases from retail stores when needed. These transactions are subject to quantity limits and record-keeping requirements for both the seller and purchaser.

The law went into effect on March 5, 2026.

How much alcohol may a restaurant or bar purchase from a liquor and wine store?

The statute permits on-premises licensees to purchase up to six bottles of wine or liquor per calendar week from off-premises retail licensees.

How will the Authority evaluate compliance with the weekly purchase limit?

The Authority will administer this statutory limit using a calendar-year compliance period.

When evaluating compliance, the Authority may review receipts and other records maintained by the licensee for the relevant calendar year to assess purchasing activity over time. Licensees should retain all receipts for purchases made under this provision, so they are available if requested by the Authority.

How are multipack products counted toward the limit?

For purposes of this law, a “bottle” means an original sealed package of wine or liquor as received from the manufacturer or wholesaler.

For products sold in sealed multipack formats, the Authority will treat the original sealed package as the “bottle” for compliance purposes. For example, a sealed multipack of canned ready-to-drink cocktails (such as a 4-pack or 12-pack) will be treated as one bottle.

How will liquor and wine stores know if a restaurant or bar already purchased bottles from another store?

Liquor and wine stores are not responsible for tracking purchases made at other stores. They are responsible only for issuing a receipt and maintaining records for transactions conducted at their own establishment.

How will liquor and wine stores know if a customer is purchasing for a restaurant or bar?

The restaurant or bar should inform the liquor or wine store that the purchase is being made for on-premises service at their licensed establishment. This helps ensure that the transaction is properly documented and compliant with the statute.

Do both businesses need to keep records or receipts of these transactions?

Yes. Both the seller and purchaser must retain receipts for these transactions.

These receipts must be maintained and made available to the Authority upon request. Licensees should treat these records similarly to invoices received from wholesalers.

Can a liquor or wine store deliver wine or liquor to a restaurant or bar under this law?

Yes. Liquor and wine stores may deliver wine or liquor to an on-premises licensee, provided the transaction otherwise complies with the statute and this Advisory. Delivery is treated the same as an in-store purchase for purposes of recordkeeping and enforcement. Both parties must retain the required receipt.

Can restaurants or bars resell these bottles in sealed form for patrons to take home?

No. Alcohol purchased under this provision may only be used for service at the licensed on-premises establishment. On-premises licensees may not sell sealed bottles for off-premises consumption unless otherwise authorized by law.

Can restaurants or bars combine these purchases with personal purchases or purchases for another business?

No. Purchases made under this law must be separate and clearly documented. Restaurants and bars cannot mix or co-mingle these purchases with personal purchases or with purchases made for another licensee. Each transaction must be made for the licensed establishment and recorded with its own receipt.

What happens if a business exceeds the statutory limit?

Exceeding the statutory limit may constitute a violation of the Alcoholic Beverage Control Law. The Authority may review records and receipts during inspections or investigations and will evaluate compliance based on the facts and circumstances. If violations are identified, the Authority may initiate disciplinary action.

Are these sales subject to sales tax, and what paperwork is required?

Questions regarding sales tax obligations, resale certificates, and documentation should be directed to the New York State Department of Taxation and Finance.
