



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
STATE LIQUOR AUTHORITY
ALFRED E. SMITH BUILDING
80 SOUTH SWAN STREET, SUITE 900
ALBANY, NY 12210-8002
www.sla.ny.gov

COMPARISON OF WINERY, FARM WINERY AND MICRO WINERY LICENSES

Prepared by
Thomas J. Donohue
Special Counsel
New York State Liquor Authority
518-473-2261
Thomas.Donohue@sla.ny.gov

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This document is intended to assist wineries and farm wineries in complying with the provisions of the Alcoholic Beverage Control Law. It is not intended to serve as a comprehensive manual with respect to either the Alcoholic Beverage Control Law or the other laws and regulations that govern the operation of wineries and farm wineries. In addition, please note that any changes made to the Alcoholic Beverage Control Law or new directives issued by the State Liquor Authority after the date of this presentation may impact some of the information provided in this document.

Comparison of Winery, Farm Winery and Micro Winery Licenses

	Winery	Farm Winery	Micro Winery
<u>BASIC LICENSE PROVISIONS</u>			
Type of license	Manufacturing with wholesale and retail privileges	Manufacturing with wholesale and retail privileges	Manufacturing with wholesale and retail privileges
Annual license fee	\$625	\$125	\$50
Limitation on amount produced	None	150,000 gallons/year	1,500 gallons/year
Limitation on type of wine	None	Wine made exclusively from grapes, fruits or other agricultural products grown in NYS	Wine made exclusively from grapes, fruits or other agricultural products grown in NYS
Production of other alcoholic beverages	No	Cider	Cider

Comparison of Winery, Farm Winery and Micro Winery Licenses

	Winery	Farm Winery	Micro Winery
<u>WHOLESALE PRIVILEGES</u>			
Sales to NYS wholesalers <i>(All wine sold must be price posted and brand label approved)</i> <i>(May limit distribution to certain wholesalers)</i>	Yes	Yes	Yes
Sales to NYS retailers <i>(All wine sold must be price posted and brand label approved)</i> <i>(Must sell to any retailer prepared to pay on delivery)</i>	Yes	Yes	Yes
Sales to out-of-state entities	If allowed by the laws of the buyer's state	If allowed by laws of the buyer's state	If allowed by the laws of the buyer's state

Comparison of Winery, Farm Winery and Micro Winery Licenses

<u>TASTINGS</u>	Winery	Farm Winery	Micro Winery
Wine tastings at licensed premises	Yes	NYS labeled wine	NYS labeled wine
Tastings of any other alcoholic beverages at licensed premises	No	NYS labeled beer, NYS labeled cider, NYS labled liquor, NYS labeled wine products	NYS labeled beer, NYS labeled cider, NYS labled liquor, NYS labeled wine products
Tastings at farmers markets, county fairs and State Fair	With a Marketing permit	NYS labeled wine and cider with a Marketing permit	NYS labeled wine and cider with a Marketing permit
Tastings at charitable events	[1] NYS labeled wine with permit issued under ABCL §76(3)	[1] NYS labeled wine with permit issued under ABCL §76-a(3)	[1] NYS labeled wine with permit issued under ABCL §76-a(3)
	[2] Any wine with a Marketing Permit	[2] NYS labeled wine and cider with a Marketing permit	[2] NYS labeled wine and cider with a Marketing permit
Tastings at licensed premises	[1] NYS labeled wine at retail establishments with wine or liquor license without permit	[1] NYS labeled wine at establishments with wine or liquor license without permit	[1] NYS labeled wine at establishments with wine or liquor license without permit
	[2] Any wine at any premises licensed to sell wine with a Marketing Permit	[2] NYS labeled wine/cider at any premises licensed to sell wine/cider with a Marketing Permit	[2] NYS labeled wine/cider at any premises licensed to sell wine/cider with a Marketing Permit
Tastings at other events/locations	With a Marketing Permit on notice to Authority	NYS labeled wine ands cider with a Marketing Permit on notice to Authority	NYS labeled wine ands cider with a Marketing Permit on notice to Authority

Comparison of Winery, Farm Winery and Micro Winery Licenses

	Winery	Farm Winery	Micro Winery
SALES BY THE GLASS (ON-PREMISES CONSUMPTION)			
Wine sales by glass at winery	With separate license issued under ABCL §76(4)	NYS labeled wine	NYS labeled wine
Sales by the glass of any other alcoholic beverages at winery	No	NYS labeled cider	NYS labeled cider
Wine sales by the glass in restaurant in or adjacent to winery	With separate license issued under ABCL §76(4-a)	NYS labeled wine only	NYS labeled wine only
Sales by the glass in restaurant in or adjacent to winery with separate license	Liquor, wine, beer and cider	Liquor, wine, beer and cider	Liquor, wine, beer and cider

Comparison of Winery, Farm Winery and Micro Winery Licenses

	Winery	Farm Winery	Micro Winery
SALES BY THE BOTTLE (OFF-PREMISES CONSUMPTION)			
Wine sales by the bottle at winery	With a separate permit issued under ABCL §76(10)	NYS labeled wine	NYS labeled wine
Bottle sales of any other alcoholic beverages at brewery	NYS labeled liquor	NYS labeled beer, NYS labeled cider, NYS labled liquor, NYS labeled wine products	NYS labeled beer, NYS labeled cider, NYS labled liquor, NYS labeled wine products
Bottle sales at farmers markets, county fairs and State Fair	[1] NYS labeled wine with a permit issued under ABCL §76(7)	[1] NYS labeled wine with a permit issued under ABCL §76(7)	[1] NYS labeled wine with a permit issued under ABCL §76(7)
	[2] Any wine with a Marketing Permit	[2] NYS labeled wine and cider with a Marketing Permit	[2] NYS labeled wine and cider with a Marketing Permit
Bottle sales at charitable events	[1] NYS labeled wine with a permit issued under ABCL §76(3)	[1] NYS labeled wine with a permit issued under ABCL §76-a(3)	[1] NYS labeled wine with a permit issued under ABCL §76-a(3)
	[2] Any wine with a Marketing Permit	[2] NYS labeled wine and cider with a Marketing Permit	[2] NYS labeled wine and cider with a Marketing Permit

Comparison of Winery, Farm Winery and Micro Winery Licenses

SALES BY THE BOTTLE (OFF-PREMISES CONSUMPTION) <u>(Continued)</u>	Winery	Farm Winery	Micro Winery
Bottle sales at other licensed premises	[1] NYS labeled wine with a permit issued under ABCL §76(3) [2] Any wine with a Marketing Permit	[1] NYS labeled wine with a permit issued under ABCL §76-a(3) [2] NYS labeled wine and cider with a Marketing Permit	[1] NYS labeled wine with a permit issued under ABCL §76-a(3) [2] NYS labeled wine and cider with a Marketing Permit
Bottle sales at other events/locations	With a Marketing Permit on notice to Authority	NYS labeled wine and cider with a Marketing Permit on notice to Authority	NYS labeled wine and cider with a Marketing Permit on notice to Authority

Comparison of Winery, Farm Winery and Micro Winery Licenses

	Winery	Farm Winery	Micro Winery
<u>MISCELLANEOUS</u>			
Multiple locations	Each winery requires a separate license, but can operate up to 5 satellite retail stores (each requires a separate license)	Can operate up to 5 branch offices with a permit for each location	Can operate up to 5 branch offices with a permit for each location
Tied-house restrictions	No interest in any business that sells alcoholic beverages at retail	No interest in any business that sells alcoholic beverages at retail	No interest in any business that sells alcoholic beverages at retail