

Korman - 19th

(Series 1969)
Bulletin #205 Revised
February 18, 1969

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

TO: MANUFACTURERS, WHOLESALERS & WAREHOUSE PERMITTEES

SUBJECT: SALES OF ALCOHOLIC BEVERAGES BY MANUFACTURERS & WHOLESALERS
TO PERSONS OPERATING MORE THAN ONE LICENSED PREMISES
Revised Material Underlined (Item #4 only)

To give effect to Chapter 97 of the Laws of 1950, the Liquor Authority under date of May 19, 1950 promulgated Rule 32, a copy of which is attached hereto and issued covering Bulletin #205 on May 31, 1950.

Sales of alcoholic beverages to retail licensees operating more than one licensed premises must be made in the following manner, except where such sales is made pursuant to Rule 32:

1. Every order for alcoholic beverages shall be taken in the name of the licensee for the specific branch or unit of the chain for which the order is placed and NOT for the central purchasing office through which such placement is made.
2. The books and records of manufacturers and wholesalers shall contain the name of the licensee and the address and license number of the specific branch or unit of the chain for which such order is placed.

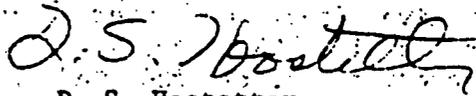
The address of the central purchasing office through which such placement is made or that of the warehouse in this state to which such beverages are shipped shall NOT be substituted for the address of the specific branch or unit.

3. The invoice prescribed by the Law shall be made out in the name of the licensee and shall show the address and license number of the specific branch or unit of the chain. The address of the central purchasing office or that of the warehouse in this state to which such beverages are shipped shall NOT be substituted for the address of such branch or unit.
4. Each such order shall be shipped directly to the specific branch or unit of the chain for which the order was placed, or in the alternative, to a licensed warehouse in this state for the account of such branch or unit. After the alcoholic beverages are delivered to the warehouse for the account of such specific branch or unit, they shall be so earmarked. An inventory record shall be kept in the warehouse which shall show the name of the licensee and the address and license number of the specific branch or unit

of the chain for which the order was placed, the date the alcoholic beverages were received, the quantity and brands, the date when such alcoholic beverages were shipped to such specific branch or unit, and the quantity involved.

All manufacturers, wholesalers and warehouse permittees must conform their actions to the foregoing instructions.

STATE LIQUOR AUTHORITY



D. S. Hostetter
Chairman

RULE 32.—CENTRALIZED ACCOUNTING AND BOOKKEEPING BY ON-PREMISES RETAILERS OPERATING TWO OR MORE SEPARATELY LICENSED PREMISES

Promulgated pursuant to Section 106, subd. 12 of the Alcoholic Beverage Control Law as amended by Chapter 97 of the Laws of 1950:

An on-premises licensee operating two or more premises separately licensed to sell alcoholic beverages for on-premises consumption may, with the approval of the Liquor Authority, inaugurate or retain in this State methods or practices of centralized accounting, bookkeeping, control records, billing, invoicing or payment with respect to purchases, sales or deliveries of alcoholic beverages under the following terms and conditions:

1. APPROVAL OF LIQUOR AUTHORITY.

- (a) Application for permission to inaugurate or retain such methods or practices must be made in writing to the Wholesale Bureau of the State Liquor Authority at 270 Broadway, New York, N. Y. 10007
- (b) Such application must set forth the address of the central or main office of such licensee at which centralized records pertaining to the operations of the several separately licensed premises shall be maintained and be available for inspection by any authorized representative of the Liquor Authority.

2. CENTRAL OR MAIN OFFICE.

Such office may be either one of the separately licensed premises operated by such licensee, or an office separate and distinct from any such premises. If such office is a non-licensed premises, a registration number shall be assigned thereto by the Liquor Authority, which shall be utilized by such office in connection with all purchases of alcoholic beverages made centrally.

3. PURCHASES.

- (a) Such records must show the daily amount of all purchases of alcoholic beverages made by such licensee and shall include the dollar amounts and quantity of alcoholic beverages purchased, the date of each purchase and the name, address and license number of the person from whom such alcoholic beverages are purchased.
- (b) Quantities of alcoholic beverages purchased must be set forth in terms of the sizes of the containers in which they are received such as half barrels, quarter barrels, cases, quarts, fifths, gallons and half gallons and shall be further identified as to the brand name and type.

4. CONTROL RECORDS.

Records must be maintained on a current basis which shall show the inventories of alcoholic beverages stored in warehouses by such licensee and set forth in the form prescribed in Section 3-b [above] the following information:

- a. The quantities and types of alcoholic beverages delivered to each of the separately licensed premises operated by such licensee;
- b. The quantities and types of alcoholic beverages transferred between any of the several separately licensed premises and/or the warehouse;
- c. The dates of each such delivery or transfer;
- d. Any other disposition of alcoholic beverages including returns and breakage.

A subsidiary control record conforming to the foregoing must also be maintained for each of the several separately licensed premises.

5. SALES.

A central record must be maintained which shall show the daily sales of alcoholic beverages and food, separately stated for each of the several separately licensed premises. Such record shall reflect the following:

- (a) Total daily receipts;
- (b) Daily income from alcoholic beverages;
- (c) Daily income from food;
- (d) Miscellaneous income.

6. PAYMENTS.

- (a) A cash disbursements record covering payments for all alcoholic beverages must be maintained, substantiated by invoices and vouchers, which shall identify each payment made, and set forth the date and amount of the same, discount taken, if any, and the name of the person to whom such payment was made.
- (b) Any disbursement based on a direct purchase of alcoholic beverages by any of the several separately licensed premises must be reflected in the record maintained centrally for each such premises.

7. DELIVERY AND STORAGE.

Alcoholic beverage purchases by such licensee may be delivered directly to any of the several separately licensed premises or to a warehouse to which a warehouse permit has been issued by the Liquor Authority.

Nothing herein contained shall be construed as requiring that alcoholic beverages stored by such licensee in a licensed warehouse need be segregated or ear-marked for any separately licensed premises operated by such licensee.

8. BILLING AND INVOICING.

Orders for alcoholic beverages delivered to any of the separately licensed premises may be billed to either such licensed premises or to the central or main office. Invoices therefore must designate the address and license number of the premises to which delivery was made. Orders delivered to a licensed warehouse and not ear-marked for a particular licensed premises must be billed to the central or main office and the invoice must therefore bear the designation "Account of Central Office" and the registration number assigned to such central office by the Liquor Authority.

9. MAINTENANCE OF RECORDS.

- (a) All of the records hereinabove described shall be maintained on a current basis and all such transactions must be recorded in the central or main office within five (5) business days of the date of the actual transaction and must be verifiable by substantiating documents.
- (b) All such records relating to alcoholic beverages must be kept separate and distinct from any other records maintained by any such licensee.
- (c) In addition to the records described herein, such licensee must also maintain in such central or main office any other records required by law and the rules and regulations of the Liquor Authority.
- (d) All such records must be maintained for a period of at least two (2) years.