

(Series 1953)
Divisional Order #362
December 1, 1953

STATE OF NEW YORK

LIQUOR AUTHORITY

TO: ZONE OFFICES AND LOCAL BOARDS

SUBJECT: CITIZENSHIP REQUIREMENTS - ANNUAL PERMITS

The Bureau of Law has rendered an opinion differentiating between those classes of annual permits which authorize "traffic in" alcoholic beverages and those which do not authorize such traffic. The opinion holds that the provisions of Section 126 subdv. 3 of the A.B.C. Law which prohibit the traffic in alcoholic beverages to all except citizens of the United States, applies only to those annual permits which authorize traffic in alcoholic beverages.

GROUP A

The following annual permits authorize traffic in alcoholic beverages, and consequently, are subject to the provisions of Section 126 subdv. 3:

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| 1. Drug Store (Sect. 95) | Class 644 |
| 2. Alcohol Distributor Class A (Sect. 92A) | Class 633 |
| 3. Alcohol Distributor Class D (Sect. 92A) | Class 636 |

and all classes of annual permits which are auxiliary to licenses and issued only to licensees, e.g. HOP permits, Credit permits, and Retail Beer Permits (Brewers and Wholesalers).

GROUP B

The following annual permits do not authorize traffic in alcoholic beverages and are not subject to the provisions of Section 126, subdv. 3:

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| 1. Solicitor's (Sect. 93) | Class 641 |
| 2. Industrial Alcohol | Class 630 |
| 3. Industrial Alcohol Manufacturers | Class 631 |
| 4. Alcohol | Class 632 |
| 5. Alcohol Distributor Class B | Class 634 |
| 6. Alcohol Distributor Class C | Class 635 |
| 7. Broker's | Class 642 |
| 8. Trucking | Class 643 |
| 9. Warehouse | Class 645 |
| 10. Bottlers | Class 646 |
| 11. Steamship or Aircraft | Classes 637 and 638 |
| 12. Manufacturer's non-beverage | Class 639 |
| 13. Hospital | Class 640 |
| 14. Negotiator | Class 647 |

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In view of the foregoing opinion, no annual permit in Group A shall be issued to a person whose citizenship does not conform with the requirement set forth in Divisional Order #262, last amended under date of June 12, 1953.

Furthermore, no such permit shall be renewed where a national of Danzig, Hungary, or Poland is listed as an individual owner, partner, officer, or director of a Corporation, except in conformance with Divisional Order #358, issued under date of August 6, 1953.

STATE LIQUOR AUTHORITY



JOHN F. O'CONNELL
Chairman