



**STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

STATE LIQUOR AUTHORITY

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**IN REPLYING REFER TO
Albany**

MEDIA ADVISORY

For Immediate Release

August 20, 2008

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**NASSAU BEER WHOLESALER LOSES LIQUOR LICENSE
Underage Sales Leads to Emergency Summary Suspension**

Albany, NY – The New York State Liquor Authority (SLA) summarily suspended the license of VIP Beverage Inc, also known as “Turnpike Beverage” at 1082 Hempstead Turnpike in Franklin Square today. The suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle, Commissioner Jeanique Greene, and Commissioner Noreen Healey at the Full Board meeting on Wednesday, August 20, 2008.

On July 27, 2008, the SLA charged the licensee for selling beer to minors on June 27, 2008 based on a referral from the Nassau County Police Department. Officers observed three minors enter the premises and purchase beer. Additionally, on July 8, 2008 the SLA charged the licensee for selling to minors on May 29, 2008. Again, Nassau County officers observed three separate vehicles enter the beverage center and exit with beer. The occupants of all three vehicles were minors and each confirmed to officers they had purchased beer.

On July 31, 2008, SLA investigators assisted the Nassau County Police in an investigation of VIP Beverage. During the investigation, four minors were observed purchasing beer from the beverage center. In addition to the 11 recent violations for selling to minors, the licensee was fined \$2,500 by the SLA on May 28, 2008 for selling untaxed cigarettes and \$2,500 for selling to a minor on July 11, 2007. Determining the establishment poses an imminent threat to the public, the Members of the Authority voted unanimously to summarily suspend the license. Effective immediately, no alcohol can be sold at the premises.

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatively requires emergency action. When the SLA summarily suspends a liquor license, it also serves upon the licensee a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation(s), considering each licensee’s

disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension.

The SLA's decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge to address the alleged violation(s) that led to the suspension. An order of summary suspension remains in effect until such time as it is modified by the State Liquor Authority or a reviewing Court.

The State Liquor Authority regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

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