

PERMIT

**NEW YORK STATE LIQUOR AUTHORITY
APPLICATIONS
for
ALCOHOLIC BEVERAGE CONTROL
REPRESENTATIVES PERMITS**

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DIRECTIONS FOR COMPLETING THE PERMIT APPLICATIONS

- Must be **TYPED** or **PRINTED**.(In blue or black ink)
 - Complete applicable forms **FULLY**.
 - Follow instructions carefully.
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Completed applications and any supporting information should be mailed to:

**NEW YORK STATE LIQUOR AUTHORITY
PO BOX 3796
NEW YORK, NY 10008-3796**

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REPRESENTATIVES PERMITS INSTRUCTIONS

This application must be filed with the State Liquor Authority office that supports the county where you will establish your business. See the attached schedule.

A permit may be issued for any of the following types of activities. Please read the description of the permit and their conditions **carefully**.

TEMPORARY SOLICITOR'S - Fee is **\$134.00 (3 years pro-rated)** assessed per term or any part thereof. Complete questions **1,4,6, 7 and signature sheet.**-Authorizes a manufacturer or wholesaler licensee to temporarily employ one or more persons as a temporary solicitor for a period not exceeding sixty consecutive working days provided that within thirty days after such employee has been employed as a solicitor such employee shall file his application for a solicitor's permit with the Liquor Authority. (**Section 93.4 A.B.C. Law**)(see attached fee chart)

SOLICITOR - Fee is **\$98.00 (3 years pro-rated)** assessed per term or any part thereof. Complete questions **1, 2, 3, 4, 6, 7, 8, 9, 10 and signature sheet.** - Authorizes the permittee to offer for sale or to solicit orders for the sale of any alcoholic beverage only in behalf of the licensee whose name appears upon such permit. (**Section 93 A.B.C. Law**). (see attached fee chart) The following information and material is required with the completed application:

- Completion of a Personal Questionnaire.
- Proof of Citizenship (not required for natural born citizens).
- A bond in the penal sum of \$1,000.00 with a corresponding expiration date including name and home address of the salesperson.
- Salesperson must complete and sign the Photo ID Card authorization section - **Submit a copy of Photo ID.**
- If salesperson is not a U.S. citizen, send a copy of alien registration card or go to the State Liquor Authority in person with naturalization papers.
- Electronic Fingerprinting (please see enclosed instructions).

BROKER - Fee is **\$788.00 (3 years)**- Complete questions **1, 2, 3, 4, 6, 7, 8, 9, 11, 12 and signature sheet.** To act as a broker in the purchase and sale of alcoholic beverages for a fee or commission, for or on behalf of a person authorized to manufacture or sell at wholesale alcoholic beverages within or without the State. (**Section 93-A, A.B.C. Law**). The following information and material is required with your completed application:

- Required bond, in the penal sum of \$1,000.00, issued by any qualified surety company authorized to execute such bonds in New York State
- Completed Personal Questionnaire
- Completed Certificate of Services
- Electronic Fingerprinting (please see enclosed instructions).

Brokers permits are issued with the following conditions as set forth in Part 30 of the Rules of the State Liquor Authority:

- No such permit shall be issued to any person who does not qualify under Section 126 of the Alcoholic Beverage Control Law except as to citizenship or who is interested in the manufacture or sale of alcoholic beverages in any manner whatsoever, either as an owner or partner, if a partnership, or as a stockholder, officer or director of a corporation.
- Such permittee shall not buy or sell any alcoholic beverages for his own account, or take or deliver title to such alcoholic beverages, or receive or store any alcoholic beverages in his own name in this State, or offer, agree to offer or sell any alcoholic beverages to any retailer within the State.

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- The permittee shall require all purchases of alcoholic beverages to be billed by the seller directly to the purchaser and paid for by such purchaser directly to the seller.
- No alcoholic beverages shall be purchased for an out-of-State principal unless such principal is authorized to import such alcoholic beverages into the State or foreign country to which such alcoholic beverages are consigned.
- The permittee shall require that all alcoholic beverages purchased in this State for the account of an out-of-State principal be delivered directly to the steamship, vessel, railroad car or transportation company for delivery to the principal outside the State.
- The permittee shall not offer for sale or act as a broker in the sale of any brand of liquor or wine in this State except at the price and at the discounts in effect for such brand in the schedule of prices to wholesalers on the date of offer or sale, unless permission in writing has been granted by the Authority for good cause shown.
- The permittee shall maintain separate books and records which shall include, but not necessarily be limited to, the names and addresses of all purchasers and sellers of alcoholic beverages; the quantity and type of alcoholic beverages involved in each transaction and the amount of the commission or fee accruing to such permittee for each transaction. Such records shall also include documents or photostats evidencing the authority of each out-of-State purchaser to import alcoholic beverages into the State or foreign country to which such alcoholic beverages are consigned; and, all correspondence, memoranda and documents relating to transactions involving alcoholic beverages and the broker's employment in connection therewith. Such records shall be maintained for a period of at least two (2) years.

NEGOTIATORS - Fee is \$620 (3 years) Complete questions 1, 2, 3, 4, 5A,B,C,D, 6, 7, 8, 9, 10 and signature sheet. - Authorizes permittee to negotiate and consummate an agreement for the establishment of an operating agency relationship for the distribution in this state of the products of an out-of-state manufacturer or wholesaler. **(Section 99-B, Subd. 1(J) A.B.C. Law).** Application must be accompanied by:

- A photostat of the license to manufacture or sell alcoholic beverages at wholesale issued to the applicant by the licensing body in the state in which it is located, or if applicant is located in a foreign country, a certificate or letter from the consul or other governmental representative certifying that such applicant is licensed to manufacture or sell alcoholic beverages at wholesale in such foreign country.
- If this application is executed by an authorized representative, a letter from the out-of-state licensee specifically authorizing such representative to negotiate and consummate an agreement with a licensed wholesaler for the establishment of an agency in this state.

The following conditions will be complied with by the negotiator:

1. The permittee shall not offer for sale or solicit or accept any order in this state for the sale of any alcoholic beverages.
2. Samples of the alcoholic beverages manufactured or sold by the applicant shall not be imported into the state until such permit is issued.
3. Negotiations shall be had only with a wholesaler who is authorized under his license to keep and offer for sale such alcoholic beverages.
4. A photostatic copy of the permit will be delivered to EACH wholesaler with whom negotiations are to be conducted.

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5. Only a duly authorized representative of the applicant shall negotiate the agency agreement on behalf of the out-of-state licensee and such representative shall be in possession of appropriate credentials evidencing his authority.
6. Where any person not designated in this application is so authorized, notification of such authorization shall be forwarded within 10 days to the Zone Office of the New York State Liquor Authority which issued the permit.
7. If there be any change in any of the facts set forth in this application, a supplemental statement giving notice of such change shall be filed with the Zone Office of the State Liquor Authority within ten days after such change.

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SLA Form 1012 (revised 3/25/11)