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264 A April 29, 1955
264 B Dec. 19, 1955

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STATE OF NEW YORK

LIQUOR AUTHORITY

TO: MANUFACTURERS AND WHOLESALERS

SUBJECT: SALES TO MILITARY ORGANIZATIONS
THIS IS A REPRINT OF THE ABOVE CAPTIONED BULLETINS

As stated in Bulletin #264 dated July 20, 1954 Wholesalers and Manufacturers are authorized to sell and deliver alcoholic beverages to post exchanges, canteens, officers and regimental messes and civilian employees' clubs located on Federal Military and Naval Reservations located on lands exclusively ceded to the United States. The aforesaid bulletin #264 contains a list of such establishments which remains in full force and effect.

The New York State Tax Commission maintains a list of Commissioned and Non-commissioned Officers' Messes. In the aforementioned bulletin #264 the Liquor Authority adopted, as its own, the State Tax Commission's list and wholesaler and manufacturer licensees were advised that they may sell to "open" messes listed by the State Tax Commission as well as post exchanges, canteens, messes, etc., on Federal Military Reservations listed by the Liquor Authority.

It has been called to the Authority's attention that the New York State Tax Commission's list contains a number of establishments of a more restricted category, designated as "closed" messes and the question has been raised whether these "closed" messes are immune from the licensing provisions of the Alcoholic Beverage Control Law.

The Members of the Authority at their meeting of April 5, 1955 have ruled that the immunity from the licensing provisions of the Alcoholic Beverage Control Law as promulgated in Bulletin #264 is to include the more restricted category known as "closed" messes on the New York State Tax Commission list of "Commissioned and Non-Commissioned Officers' Messes in New York State authorized to handle Alcoholic Beverages".

Accordingly Wholesaler and Manufacturer licensees may sell and deliver alcoholic beverages to the "messes" set forth in the aforesaid list promulgated by the New York State Tax Commission.

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Bulletins Nos. 59, 144, and 211 previously issued by the Authority and which dealt with the subject of sales to organizations of armed forces personnel operating on Federal Military Reservations are hereby rescinded and, effective immediately, sales to organizations of army or navy personnel shall be guided by the following:

Under the provisions of the ABC Law, manufacturers and wholesalers may sell liquor and wine to licensees only. The Law also makes provision for the issuance of special permits by the Liquor Authority authorizing sales of liquor and wine by manufacturers and wholesalers to non-licensees under specific conditions as prescribed by statute.

OPEN MESSES

The Attorney General of the State of New York has rendered an opinion dated May 28, 1954, that open messes of the Armed Services are federal instrumentalities and therefore are immune from the licensing provisions of the ABC Law.

The Attorney General has further declared that in his opinion Section 100, subd. 2 of the ABC Law does not prohibit manufacturers or wholesalers from selling, agreeing to sell or delivering alcoholic beverages to duly established and operated open messes whether they be located in or on ceded or non-ceded areas. Open messes and post exchanges, as federal instrumentalities, may purchase alcoholic beverages regardless of their locations on ceded or non-ceded areas.

Duly licensed manufacturers and wholesalers are authorized to sell and deliver alcoholic beverages to open messes listed by the State Tax Commission without regard to the location of such open messes.

For the purpose of determining what are duly established and operated open messes, the Liquor Authority has adopted as its own the list of open messes promulgated by the State Tax Commission and any list which may be established in the future by the Commission with reference to the sale of liquor on open messes in the Armed Services.

Manufacturers and wholesalers are cautioned that the opinion of the Attorney General has no effect on Defense Department installations other than open messes.

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FEDERAL MILITARY AND NAVAL RESERVATIONS

Within the geographical bounds of the State of New York there are a number of Federal Armed Services establishments. Some of these military reservations are located on lands exclusively ceded to the United States by the State of New York and, consequently, a license under the ABC Law need not be obtained in order to traffic in alcoholic beverages within the areas so ceded.

Following is a list of federal military reservations which are situated on lands exclusively ceded to the United States by the State of New York:

ARMY POSTS -- CAMPS -- STATIONS

Army Building	39 Whitehall Street, New York, N. Y.
Brooklyn Army Base	58th St. and 1st Ave., Brooklyn, N. Y.
Camp Upton	Long Island, N. Y.
Civilian Club, Griffiss Air Force Base	Rome, N. Y.
Fort Hamilton	Brooklyn, N. Y.
Fort Jay	Governors Island, N. Y.
Fort Niagara	Youngstown, N. Y.
Fort Ontario	Oswego, N. Y.
Fort Schuyler	New York, N. Y.
Fort Slocum	Fort Slocum, N. Y.
Fort Tilden	Rockaway Park, N. Y.
Fort Totten	Fort Totten, N. Y.
Fort Wadsworth	Rosebank, Staten Island, N. Y.
Fort H. G. Wright	Fishers Island, N. Y.
Governors Island	Governors Island, N. Y.
Griffiss Air Force Base	Rome, N. Y.
Lafayette Fort	Brooklyn, N. Y.
Madison Barracks	Sackets Harbor, N. Y.
Madison Barracks Target Range	Stoney Point, N. Y.
Manhattan Beach Air Force Station	Sheepshead Bay, Brooklyn, N. Y.
Miller Field	Staten Island, N. Y.
Mitchell Field	Hempstead, L.I., N. Y.
Pine Camp	Great Bend, N. Y.
Plattsburg Barracks	Plattsburg, N. Y.
Rochester Ordnance District	1132 Mercantile Bldg. Rochester, N. Y.
Roosevelt Field	New York, N. Y.
Sampson Air Force Base	Geneva, N. Y.
Schenectady General Depot	Schenectady, N. Y.
Stewart Air Force Base	Newburg, N. Y.
U. S. Signal Corps Photographic Center	Long Island, N. Y.
Veterans Administration Hospital	Northport, L.I., N. Y.
Watervliet Arsenal	Watervliet, N. Y.
West Point	West Point, N. Y.

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NAVY

SHORE ESTABLISHMENT ORGANIZATION

Commissioned Officers Mess	Bldg. 27, Navy Yard, Brooklyn, N. Y.
Commissioned Officers Mess	U. S. Naval Supply Depot, Scotia, N. Y.
Floyd Bennett Field	Brooklyn, N. Y.
Junior Officers Mess, Melville Hall, U. S. Merchant Marine Academy	Kings Point, L.I., N. Y.
Merchant Marine Academy	Kings Point, L.I., N. Y.
Marine Barracks Naval Magazine	Fort Lafayette, N. Y.
Naval Ammunitions Depot	Iona Island, N. Y.
Naval Hospital	Brooklyn, N. Y.
Naval Medical Supply Depot	Brooklyn, N. Y.
Naval Ordnance Plant	Fort Lafayette, N. Y.
Naval Reserve Aviation Base	New York, N. Y.
Naval Reserve Aviation Base	Brooklyn, N. Y.
Naval Reserve Educational Center	New York, N. Y.
Navy Yard	New York, N. Y.
Radio Station	Fire Island, N. Y.
Radio Station Amagansett	New York, N. Y.
United States Coast Guard Base	St. George, Staten Island, N. Y.
U. S. Marine Hospital	Stapleton, Staten Island, N. Y.
U. S. Maritime Service Training Station	Sheepshead Bay, Brooklyn, N. Y.
U. S. Naval Air Station Municipal Airport	Niagara Falls, N. Y.
U. S. Naval Hospital	St. Albans, LI, N. Y.
U. S. Naval Receiving Station	Brooklyn, N. Y.
U. S. Quarantine Station	Rosbank, Staten Island, N. Y.

Duly licensed manufacturers and wholesalers are authorized to sell and deliver alcoholic beverages to post exchanges, canteens, officers, and regimental messes and civilian employees clubs located on the listed reservations. Sales and deliveries of alcoholic beverages shall not be made to any canteen or civilian club not licensed under the Alcoholic Beverage Control Law unless the same is located within the boundaries of one of the military reservations hereinbefore set forth under the heading of Federal Military Reservations.

The foregoing list includes all Federal Military Reservations which are located on lands exclusively ceded to the United States by the State of New York and which have applied to the authority for inclusion on the said list. In the event that any military establishment or unlicensed civilian club not located within the confines of any of the Federal Military Reservations set forth on the said list, and not herein-after provided for, applies to wholesalers or manufacturers to purchase liquor and/or wine, such manufacturer or wholesaler should apply to the Wholesale Bureau of the State Liquor Authority, 270 Broadway, New York 7, N. Y., for a ruling as to whether the Federal Military Reservations on

which such military organization or unlicensed civilian club is located qualifies for such listing.

Sales of alcoholic beverages to unlicensed organizations which are not located on Federal Military Reservations listed above or which do not appear on the list of open messes promulgated by the State Tax Commission are prohibited by the Alcoholic Beverage Control Law.

STATE LIQUOR AUTHORITY

(L.S.) THOMAS E. ROHAN
Chairman

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