

STATE OF NEW YORK
LIQUOR AUTHORITY

TO: MANUFACTURERS AND WHOLESALERS OF LIQUOR AND WINE

SUBJECT: CONTAINERS AND PACKAGING
(Supersedes Bulletin No. 329 dated August 18, 1960, which is hereby rescinded.)

During the past year the Authority has held a number of conferences with the industry relative to containers and packaging and attendant problems. As a result, the conditions set forth in Bulletin No. 329, dated August 18, 1960, are amended as follows: (New matter is capitalized.)

A. CONTAINERS OF LIQUOR AND WINE

1. No container shall be permitted which includes any item having any after-use or secondary value except for a proper closure or stopper.

2..No object, item or thing having any after-use or secondary value shall be attached to the container, or to the stopper of the container, or incorporated in or used as part of the stopper or container except that the use of an ordinary jigger cap shall be permissible.

3. Ordinary glass stoppers accompanying decanter type containers which are used to replace corks are not prohibited if in conformity with Paragraph 2 above.

4. No container shall be included in any case of liquor or wine sold at a case price unless such container is available to and sold to retailers in case lots at the same price as the case containing one or more of such containers.

CONTAINERS OR ATTACHMENTS WHICH DO NOT FALL SQUARELY WITHIN THE ABOVE-MENTIONED PROVISIONS OR WHERE THE CONTAINER ITSELF HAS ANY AFTER-USE OR SECONDARY VALUE MUST BE SUBMITTED TO THE AUTHORITY FOR APPROVAL BEFORE BEING DISTRIBUTED IN THE STATE OF NEW YORK. A STATEMENT OF THE COST OF THE CONTAINER SHOULD ACCOMPANY SUCH SUBMISSION.

WHOLESALERS MAY NOT SELL ANY LIQUOR OR WINE IN NEW YORK STATE IN CONTAINERS WHICH DO NOT CONFORM IN FULL WITH PARAGRAPHS 1 TO 4 ABOVE, INCLUSIVE, OR WHICH HAVE AN AFTER-USE OR SECONDARY VALUE UNLESS THEY ARE IN RECEIPT OF PROOF FROM EITHER THE OWNER OF THE BRAND OR THE PRIME DISTRIBUTOR OF SUCH BRAND THAT WRITTEN PERMISSION HAS BEEN OBTAINED FROM THE AUTHORITY SUBSEQUENT TO AUGUST 18, 1960 TO DISTRIBUTE SUCH ITEMS IN THIS STATE.

B. PACKAGING

1. Manufacturers and Wholesalers may pack their containers of alcoholic beverages in cardboard, paper or wooden boxes.

2. Baskets, boxes or packages having a value to the consumer distinct from their value as packages for alcoholic beverages may not be used to pack containers of alcoholic beverages and may not be furnished, given or sold to retailers by manufacturers or wholesalers.

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3. Nothing hereinabove set forth shall be construed as excluding the use of paper, canvas, cloth, straw, simulated leather and plastics as wrapping material for the container, provided that such wrapping material complies with Rule 4 in relation to labels and further provided that such wrapping material has no secondary value or use aside from its use as a wrapping for alcoholic beverages.

4. Cardboard or paper boxes for use in packing containers of alcoholic beverages may be furnished, given or sold to retailers by manufacturers and wholesalers apart from the cases in which containers of alcoholic beverages were originally packed subject to the following conditions:

Manufacturers and wholesalers may purchase cardboard or paper containers and furnish them to the retailer at the time of sale and may furnish empty cardboard or paper containers to retailers in a quantity not to exceed an amount required for the number of bottles of such brands that the retailer has in inventory, provided:

- a. The cost of the cardboard and paper containers is limited to not more than 20¢ per container, if one bottle and 30¢ for containers of more than one bottle.
- b. The cardboard or paper containers will be submitted to the Industrial Services Section at the New York Office of the State Liquor Authority for prior approval.

All manufacturers and wholesalers of alcoholic beverages in this State are hereby cautioned that any violation of the directives contained in the above bulletin will subject their licenses to action by the Authority.

STATE LIQUOR AUTHORITY

D. S. Hostetter
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CHAIRMAN