



NEW YORK STATE ASSOCIATION OF BEVERAGE CENTERS
annual

MEETING & DINNER

LEGISLATION/REGULATION UPDATE, INCLUDING BOTTLE BILL AND READY-TO-DRINK COCKTAILS • OPEN BAR • BUFFET DINNER



honoring the past



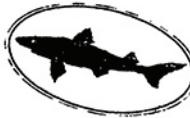
protecting the future

WEDNESDAY, MAY 14, 2025 5:30-8:30PM

Captain Bill's Restaurant & Catering • 122 Ocean Ave • Bay Shore, NY 11706

MANHATTAN

BEER DISTRIBUTORS [®]



Corporate Offices
 955 East 149th St, Bronx, NY
 718-292-9300



With Additional Facilities in:

LONG ISLAND • HUDSON VALLEY • BROOKLYN • QUEENS

800-BEER-INC WWW.MANHATTANBEER.COM

MANHATTAN BEER DIST @MANHATTANBEER



Albany Update

Bottle Bill

Here are the details of S5684/A6543, sponsored by Senator Rachel May (D-Syracuse) and Assemblywoman Deborah Glick (D-Greenwich Village), the frontrunner among the 2025 bottle bill amendments.

Deposit & HF Increases. Increases deposit to 10 cents effective 4/1/27.

Increases HF to 5 cents immediately, 6 cents effective 4/1/27 and 6.5 cents effective 4/1/32.

Expansion of Coverage. Adds non-carbonated soft drinks, non-carbonated fruit/vegetable juices containing less than 100% fruit or vegetable juice, coffee and tea beverages, and carbonated fruit beverages effective 4/1/27.

Big increase in coverage effective 4/1/30, which would include wine, liquor, more: “any drinkable liquid intended for human oral consumption” except FDA-regulated drug; infant formula; meal replacement liquid; dairy products derived from animal milk; plant-based dairy alternatives; and non-carbonated fruit or vegetable juices containing 100% fruit or vegetable juice.

Definitions. Adds definitions of refillable beverage containers, return and reusable systems, redemption rate, and recycling.

Consumer/Redeemer Small Retailer Protections.

- Clarifies that a redeemer does not have to be the purchaser of the container.
- Expands the definition of RVM to include alternative technology approved by the DEC but notes that using an RVM or alternative technology does not relieve a dealer of the obligation to provide an immediate refund if the RVM or other alternative technology does not do so.
- If redemption scrip or receipt expires, it must indicate the expiration date, and the dealer must post a conspicuous sign indicating the time to exchange scrip for cash. If no notification is provided, the dealer must redeem the scrip for full value.
- Dealers and RCs must provide consumers the ability to recycle any containers deemed unredeemable.
- Tweaks the provision that allows small retailers (less than 10,000 sf that primarily sell food or beverages for consumption off premises) to limit redemptions to no less than 72 containers per visit, per redeemer, per day, if the dealer has an agreement with a RC, now within one mile instead of a half-mile, and open at least 8 hours/day instead of 9 a.m. to 7 p.m. *One mile is too restrictive in rural areas. Change to within one mile in city of million or more, 5 miles elsewhere? Delete the requirement that the contract RC must be in the same county.*

Container Pickup Issues

Timely Pickup Regulation. Directs the DEC to adopt regulations defining a distributor/initiator’s obligation to pick up



empties “in a timely manner and at reasonable times” and to provide transparent container counts, by 4/1/27.

Use of Dealer/RC Equipment/Staff. Retains the requirement that a distributor/initiator may not require a dealer/RC to load empties or provide equipment or staff to do so, but adds a provision that where pallets, skids, bags, cartons or containers are readily movable only by means of a forklift or similar equipment, the distributor/initiator may require a dealer/RC to load such items at no cost using a dealer/RC forklift or similar equipment if such equipment and appropriate staff are readily available.

Off-Site Counting. Retains the requirement that a distributor/initiator may not require containers to be counted at a location other than the dealer/RC’s place of business but adds a provision that in case of a discrepancy in the count, empties must be retained, and a recount requested. The recount may be held at a location other than the dealer/RC’s place of business only if the dealer/RC agrees and is present.

RVM Audits. DEC and Tax & Finance are authorized to audit any RVM.

Farmers’ Markets Exempt from Redemptions. Dealers are not required to accept empties at a farmers’ market.

UPC Required. All redeemable containers must have an RVM-readable UPC printed on the label.

Recycling performance and reporting requirements for distributors.

- By 4/1/31 25% of all beverage containers must be refillable and part of a return and reusable system, with a target for each distributor of an 80% return rate.
- Effective 4/1/26 all distributors of non-refillable containers must report to the DEC the recycling rate, by material type, of redeemed containers.
- Beginning 4/1/27 at least 70% of redeemed beverage container material must be recycled.
- Beginning 4/1/29 at least 80% of redeemed beverage container material must be recycled.

continued on next page



continued from previous page

- Beginning 4/1/31 at least 90% of redeemed beverage container material must be recycled, including caps, lids, and other rigid sealers.

Beverage Container Assistance Fund.

5% of unredeemed deposits are to be retained for the Beverage Container Assistance Fund (*Not enough! NY State is currently keeping @ \$130 million/year in unreformed deposits, a number that is likely to increase significantly as additional beverages are covered. 5% of \$130 million = \$6,500,000*). The fund will provide grants to municipalities, non-profits and small businesses for the cost and installation of RVMs, for up to 50% of the costs of equipment, installation or rehab of real property or

structures related to collecting, sorting, and packaging of empty containers. Preference to be given to RCs that do not use RVMs and to municipalities, non-profits and small businesses that are not within one mile of a RC.

Annual Report Required. DEC, in cooperation with Tax & Finance, must produce and post on DEC website an annual report on redemption rates, container material types by percent usage, refillable container usage, fraud and enforcement actions, an analysis of the handling fee and the consumer price index, and progress toward recycling targets. *HF increases to 6.5 cents effective 4/1/32, the report should include a specific recommendation on whether,*

considering increases in CPI, the HF should be increased and if so by what amount.

Deposit Initiator Quarterly Payments.

Quarterly payments into the state refund value account by deposit initiators on refillable beverage containers which are part of a return and reusable system are reduced to 75% from the regular 80%.

Deposit Initiator/Registered Redemption Center List.

The DEC must post a list of registered deposit initiators and their covered products, and a list of registered redemption centers on the department's website.

Redemption Center Registration/Protections.

RC registration has always been required, but new requirements would be added. Registration would now be subject to a DEC review that considers safety and accessibility. New regulations should address the right of redemption centers to have timely, transparent, and safe pick ups and transparent verification of container counts. Effective 4/1/27 registration would cost \$150 and would



Refreshing.
Just like
Long
Island.



be good for 10 years. Any RC in business as of 4/1/26 that had previously provided the DEC with the required information may continue to operate as if registered but must provide additional information that may be required by subsequent regulations.

Reporting Regulations. The DEC is authorized to adopt regulations requiring dealers/RCs to report information, including the number of containers redeemed.

Ready-to-Drink Cocktails

Two proposals relate to spirit-based ready-to-drink cocktails (RTDs). One would allow all off-premises retail beer licenses (including Cs) to sell ready-RTDs at retail, and Cs to sell RTDs at wholesale. Another proposal would add RTDs to the bottle bill.

A6931(Tapia)/S6703(Jackson) would allow all licensees authorized to sell beer at retail for off-premises consumption (As and Cs) to sell ready-to-drink cocktails (RTDs) at retail for off-premises consumption. Would allow wholesale beer licensees (including Cs) to sell RTDs at wholesale. RTDs are defined as a “pre-mixed beverage containing distilled spirits, not exceeding six percent alcohol by volume, that is packaged for sale in sealed containers for off-premises consumption.”

A7869(Alvarez)(no same as) would add RTDs to the bottle bill 180 days after enactment.

ABC Law Reform

New York State Senator James Skoufis (D-Cornwall) has introduced S4575, the 2025 version of his bill that would make significant changes in the ABC Law.

Extended New Year's Hours. Allows restaurants and bars to apply for a permit to stay open on January 1 between 4 a.m. and 8 a.m.

Retail on-premises license purchases from retail off-premises license. Allows on-premises retail licensees to buy and resell up to 12 bottles of wine and liquor per week from off-premises retailers.

Expands sale of complementary items. Allows off-premises retail wine/liquor license to sell tonic water, bitters, maraschino cherries and dealcoholized wine. Allows wine/liquor wholesalers to sell and transport tonic water, bitters, maraschino cherries and dealcoholized wine.

Individual/entity OK to hold <2 off-premises retail wine/liquor licenses. Allows the holder of an off-premises retail wine/liquor license to be granted one additional off-premises retail wine/liquor license.

Clarifies ban on wholesalers owning retail premises. Amends 101 1(a) that prohibits a manufacturer or wholesaler from having an interest in any premises where any alcoholic beverage is sold

continued on next page



GUINNESS®

BOENING BROS. INCORPORATED

Serving Long Island with the Finest Beers & Ales

Since 1901

DOMESTICS

MILLER LITE • HIGH LIFE • MILLER 64
STEEL RESERVE • ST. IDES

LONG ISLAND CRAFT BEER

MONTAUK • BROOKLYN • SPIDER BITE • OYSTER BAY

CRAFT BEER

LEINENKUGELS • MAGIC HAT • SIERRA NEVADA

IMPORTS

PERONI • GUINNESS • FOSTERS • BASS HARP
MOLSON • SAPPORO • PILSNER URQUELL
RED STRIPE • TSINGTAO • BECKS • WARSTEINER
ST. PAULI • SMITHWICK'S • PRESIDENTE • LECH
TYSKIE • SAMUEL SMITH'S • ASAHI • CHIMAY
LINDEMANS • ROCHEFORT • SIGNHA • UNIBROUE
HATUEY • LUCKY BUDDHA

Life Style Brands - Healthy For You

SMIRNOFF • JACK DANIELS • SEAGRAMS • FUN WINE

SELTZERS: MONTAUK • SEAGRAMS • SMIRNOFF

1098 Route 109 North Lindenhurst, Long Island, New York 11757
SUFFOLK (631) 957-0200 Fax (631) 957-8637
www.boeningbrothers.com



Anheuser-Busch



CAYMAN JACK



Clare ROSE inc.



BOSTON BEER co.
• ESTD. 1984 •



T.J. Sheehan
DISTRIBUTING
a Sheehan Family Company

Delivering Quality
to the Syracuse area
& Western New York



**MOLSON
COORS** beverage
company



Union Beer
DISTRIBUTORS
a Sheehan Family Company

Delivering Quality
to Long Island
& New York City

continued from previous page

at retail by adding “under this chapter” meaning the ban does not prohibit owning retail premises in another state.

Relaxes the standard for issuing new off-premises wine/liquor licenses. Changes the standard for the approval of new off-premises wine/liquor licenses from “public convenience and advantage” to a showing of “good cause for disapproval”.

License fees. Adjusts various license fees, mostly by rounding off odd numbers. The most significant change is that a wholesaler whose gross sales in NY in the previous year exceeds \$750 million, the fee would be \$1 million. Gross sales <\$750 million, fee would be \$800.

Expedites review of corporate changes. Application for corporate changes would be deemed approved if the SLA has not acted in 90 days.

Temporary Retail Permits. Allows businesses to apply for a temporary 180-day retail permit for locations that have not had an active license in the prior two years, gives permit holders the ability to purchase alcohol on credit, and allows these permits to be extended for 90 days instead of the current 30 days.

Temporary Wholesaler Permits. Allows the issuance of temporary wholesaler permits to applicants whose applications are under review, in order to allow them to start doing business faster. The temporary permit may be granted once there is a pending application for a license at the same location, that all fees have been paid, that they would be likely to receive the license, and they have obtained all necessary permits and licenses to operate a business at the location, that any current license at the location must have been surrendered, placed in safekeeping, or deemed abandoned. SLA would be required to process the application within 45 days. The temporary permit would remain in effect until the permanent application is approved or rejected

Multiple wholesale licenses at same premises. Allows multiple wholesale licenses owned by the same person/entity to be located at the same premises.

Modifies the 200’ rule. The 200’ foot rule prohibits issuance of a retail on-premises license when the premises are on the same street and within 200’ of a school or place of worship. This proposal would allow the SLA to approve the license if the school or place of worship affirmatively states their support for the issuance.

Modifies the 500’ rule. The 500’ rule prohibits the issuance of a retail on-premises license when the premises are within 500’ of three or more existing licensed premises. This proposal would allow the SLA to issue such a license in a county with a population between 1.6 and 1.7 million in the 2020 census (only New York County).

The logo for BEATBOX features the word "BEATBOX" in large, bold, multi-colored letters (blue, green, yellow, pink) with a black outline. Below it, "THE ORIGINAL PARTY PUNCH" is written in a smaller, colorful, sans-serif font.

Constellation Brands
WORTH REACHING FOR

FIFCO  USA



Seagram's
escapes



Inside NYSABC is published for the beverage industry by the New York State Association of Beverage Centers. Written & edited by Ken Rosenblum • For advertising info: Jared Kane (631-921-4358)
Contact NYSABC: nysabc@gmail.com • Website: nysabc.org

