

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF JUNE 20, 2012  
REFERRED FROM: COUNSEL'S OFFICE

2012-01691(OVER)  
2012-01853 (OVER)  
2012-01938

REASON FOR REFERRAL  
REQUEST FOR DIRECTION

ON-PREMISES LIQUOR LICENSE  
FOR A MOVIE THEATER

(DECLARATORY RULING)

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JUNE 20, 2012 determined:

Robert Skene, Esq., George Patterson and Alex Heckathorn appeared

Item carried over to 7/10/12

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JULY 10, 2012 determined:

Item carried over to 7/25/12

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JULY 25, 2012 determined:

# SKENE LAW FIRM, P.C.

A NEW JERSEY PROFESSIONAL CORPORATION  
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ROBERT D. SKENE \* +

JOHN F. VASSALLO, JR., OF COUNSEL

RICHARD D. NASCA \* +

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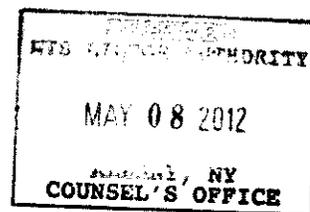
LISA M. MILLER \* +

\* NEW JERSEY BAR ADMISSION

+ NEW YORK BAR ADMISSION

May 7, 2012

Thomas Donahue, Esq.  
Special Counsel  
New York State Liquor Authority  
80 S. Swan Street, 9th Floor  
Albany, New York 12210-8002



RE: AMC Entertainment, Inc.  
Request for Declaratory Ruling

Dear Mr. Donahue:

Please be advised that our firm represents AMC Entertainment, Inc. (AMC) in its alcoholic beverage regulatory matters. AMC is the second largest movie theater chain in the United States and the largest in New York State. On March 20, 2012, I corresponded with you regarding my client's request for your opinion as to its proposed plan to begin featuring alcohol beverages at some of its select movie theater locations. Due to the recent change in the New York ABC Law with respect to the licensing of movie theaters, we thought it best to seek your guidance. You responded to our inquiries and suggested that we may also wish to seek a declaratory ruling from the Full Board of Commissioners. Our client has taken such suggestion under advisement and now wishes to request such ruling. In doing so, our client would like to present a revised method of operation for the Members' review. It should be noted that the facts contained herein differ somewhat (i.e., with respect to menu items) from those presented to you via my March 20<sup>th</sup> email communication.

The first issue on which my client seeks clarification from the Full Board is the meaning of Section 3.27 of the ABCL. The former definition of a "restaurant" as set forth in ABCL §3.27, which is still in effect with respect to non-movie theater types of premises, does not appear to contain any wait staff or server requirements. Accordingly, it would seem that a cafeteria type of operation could qualify as a restaurant under §3.27 even if such operation involves no wait staff service.

However, the revised ABCL §3.27 expands the definition of a "restaurant" to include "a motion picture theatre, movie theatre or other venue that shows motion pictures that meet the definition of a restaurant and meals, and all seating is at tables where meals are served". In

examining this revision, it remains unclear whether such language requires that licensed movie theatres provide wait staff service. My client would very much prefer that all food and beverages, including alcoholic beverages, be obtained in a counter service manner whereby the patrons will visit the food court area to make their purchases of food and beverages and return with same to the theater seating. It should also be noted that each seat will have a table affixed to same. As wait staff service will significantly increase operational costs and requiring same does not appear to serve any rational purpose, we respectfully request the above statutory phrase be interpreted to mean that wait staff service is not required in order for a movie theatre to obtain a license, and that the word "served" as used in this section be interpreted to include self-service.

To better illustrate the self-service concept, please see Pages 7 and 8 of the attached AMC Proposal ("Proposal") which depicts the layout of our client's food and beverage service areas. As evident from such Proposal, this plan very much resembles that of a traditional cafeteria type of operation. Theatre patrons will obtain their food items and return to the theater seating with same. (Again, please note that each seat within the theater will have a table affixed to same, as depicted on Pages 4 and 12 of the aforementioned Proposal.) Alcoholic beverages will be obtained at the bar as indicated in Pages 4, 7, and 8 of the Proposal. There will be no wait staff service of alcoholic beverages, or of other food and beverage products sold on the premises.

We have examined the legislative history of the portions of Section 64-a permitting the service of alcoholic beverages in motion picture theaters, and have found no indication that the legislators intended to require wait staff service in connection with same. As stated by the legislature, the purpose of the relevant amendment was to "allow the sale of alcoholic beverages at dinner and at movie theaters if all seating is at tables." Moreover, the justification provided in support of the amendment was stated as follows:

"This bill would clarify and streamline the permitting for venues that offer dinner and a movie. Such theaters must have table seating and a full restaurant menu selection. Under current law, it is difficult for such restaurants that show movies with table seating to obtain a license to serve alcohol."

While falling short of explicitly stating that wait staff is not required, the legislators expressly noted only "table seating" and "a full restaurant menu selection" as the defining qualifications in obtaining a liquor license for a motion picture theater. Accordingly, it cannot simply be inferred that the legislators intended to take it one step further and require service by wait staff in order to qualify for such a license. Please see the attached legislative history for this bill.

In addition to the above request for clarification of the self-service issue, our client also wishes to have its proposed menu reviewed for compliance with ABCL §3.27. On Page 9 of the aforementioned Proposal, please find a copy of the proposed menu. As illustrated, the proposed premises will offer numerous entrees that are more substantial than "salads or sandwiches". Moreover, although there are several items on the menu listed under the category of "sandwiches", such fare likely goes beyond the tradition meaning of the term "sandwich" as was probably contemplated when this statute was first written, many decades ago. We suspect that at such time, the term "sandwich" had a much more traditional connotation, i.e., cold cuts between

two slices of bread or on a roll. We do not believe that the legislature back then envisioned the plethora of hearty, gourmet style victuals that are now served between slices of bread or enclosed in a bread like substance.

It should also be noted that most of the items offered on the proposed menu are hot fare and will need to be prepared in a full service kitchen. All such food items will be prepared in the premises' kitchen as depicted on Page 10 of the Proposal along with an equipment schedule for same.

Upon your review of the foregoing, please be so kind as to advise me when this matter will be presented to the Members, as my client and I will wish to be present so that we may present oral argument and address any questions or concerns. In the meantime, please do not hesitate to contact me if I can provide any additional information.

Thank you for your time and consideration in this matter.

Very truly yours,



Robert D. Skene

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF JUNE 20, 2012  
REFERRED FROM: COUNSEL'S OFFICE

2012-01690 (OVER)  
2012-01855 (OVER)  
2012-01939

REASON FOR REFERRAL  
REQUEST FOR DIRECTION

INTERNET ADVERTISING PLATFORM

(DECLARATORY RULING)

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JUNE 20, 2012 determined:

John Hinman and Jeff Carroll appeared

Item carried over to 7/10/12

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JULY 10, 2012 determined:

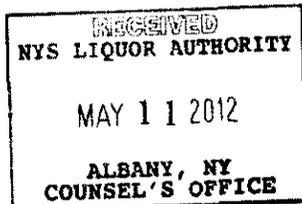
Item carried over to 7/25/12

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JULY 25, 2012 determined:



May 10, 2011

Thomas J. Donohue  
Special Counsel  
New York State Liquor Authority  
80 S. Swan Street, 9th Floor  
Albany, New York 12210-8002



Re: Petition for Declaratory Ruling

Dear Mr. Donohue,

Six88 Solutions Inc, dba ShipCompliant ("SC"), a Colorado corporation whose corporate offices are in Boulder, CO, and which does business throughout the United States, including in New York State, seeks a declaratory ruling by the New York State Liquor Authority, pursuant to the Rules of the State Liquor Authority §§98.1-98.5, that its national MarketPlace Platform, operated as set forth in this Petition, does not violate New York Alcoholic Beverage Control laws or related SLA Rules.

INTRODUCTION

SC is a technology and regulatory compliance services company that holds no alcoholic beverage licenses in any jurisdiction. SC offers its technological compliance services to wineries and retailers through a proprietary database of state and federal regulations in order to offer a legally compliant direct wine shipping platform to licensed entities. SC has been in business for over eleven years and is now the premier compliance services provider in the wine industry: many of the top wine producers in North America use SC's system for their direct to consumer (referred to herein as "Producer Direct", or "PD") compliance needs.

SC has also developed a business model and compliance system ("MarketPlace Platform") that facilitates the ability of advertising platforms (such as operators of television programs, online magazines and specialty websites) that do not hold alcoholic beverage licenses ("Advertisers") to advertise to consumers the availability of alcoholic beverage products from NY licensed retailers and wineries, as well as wineries throughout the US licensed with NY direct shipment permits ("Licensed Sellers"). Products sold by the NY licensed retailers will have been purchased from a NY licensed wholesaler, in accordance with and through the three-tier system (and orders that pass through the three-tier system in this manner are referred to as "3T" orders). The MarketPlace Platform provides a service that is much in demand by smaller wineries (such as those in NY state, as well as out of state wineries that have trouble finding wholesaler representation) and smaller NY retailers, who find it difficult to break into modern advertising and social media to reach consumers who are inclined to purchase and enjoy their products.

Thomas J. Donohue  
Special Counsel, New York State Liquor Authority  
May 10, 2012  
Page 2

SC desires to use its MarketPlace Platform to facilitate sales of alcoholic beverage products ("Products") by Licensed Sellers, including NY wineries and retailers, to consumers in New York (as well as in the rest of the US, but this petition is concerned with New York). SC has expended tremendous time and effort to build its MarketPlace Platform to work within the various state and federal alcoholic beverage laws, and believes that the MarketPlace Platform is compliant with New York law. We are hopeful that the NYSLA will agree with us that it is compliant with New York law.

#### STATEMENT OF FACTS

Using SC's MarketPlace Platform, Advertisers may facilitate the offer of Products from Licensed Sellers to consumers. Key to the system is the fact that the Licensed Seller will be in control of all aspects of each transaction. The Licensed Seller is always either a New York licensed retailer, a New York licensed Out of State Direct Shipper (winery), or a New York licensed winery.

Consumers select and place a request for a Product from the items advertised by the Advertiser, and the Advertiser uses the MarketPlace Platform to forward the consumer's request to the Licensed Seller. Product prices listed on behalf of the Licensed Seller will be specified by the Licensed Seller. The consumer's order request is checked for compliance (age, product compliance and so forth) as well as inventory availability and, once availability and compliance are confirmed, the Licensed Seller always has the opportunity to either accept or reject the order request. Following acceptance, the Licensed Seller directs the fulfillment of the order to the consumer.

Following the Licensed Seller's acceptance of an order, the Licensed Seller receives the total amount of the consumer funds for the transaction, which are settled into an account under the Licensed Seller's control held at a formally chartered third party financial institution ("3PFI").

The SC MarketPlace Platform promulgates the following rules that must be followed for each transaction:

- (1) The Licensed Seller's identity is clearly displayed to the consumer at time of transaction and on consumer invoices as applicable;
- (2) Each participant in the transaction has established escrow instructions that an executor ("Executor") will submit to the 3PFI to carry out on their behalf;
- (3) SC monitors and confirms product compliance (volume limits, winery direct shipping permits for PD orders, product registrations, price postings, and retailer licenses and permits for 3T orders);

- (4) SC performs an age validation check on the consumer's date of birth. Licensed Sellers may also select and use any one of several recognized age verification services (SC is currently integrated with Lexis Nexis and IDology);
- (5) SC validates the consumer's address for deliverability and accurate calculation of sales tax;
- (6) At the time the order request is placed, the consumer's funds are authorized, but not captured;
- (7) Following acceptance by the Licensed Seller, funds are captured, and 100% of the consumer's funds settle into the 3PFI account, under the control of the Licensed Seller;
- (8) The order is shipped by an authorized shipping point, either from the Licensed Seller's premises or from a licensed public warehouse licensed to store alcoholic beverage products for licensees, including retailers ("Warehouseman");
- (9) Sales tax is forwarded to the Licensed Seller, for remittance to state;
- (10) The Licensed Seller pays a flat monthly advertising fee to the Advertiser for its services, a logistics fees to the Warehouseman for fulfillment services, and a fee to SC for its technology and compliance services in connection with the MarketPlace Platform.

Please see the diagram attached as Exhibit A for more detail on the transaction process and financial flow.

#### DISCUSSION

SC's MarketPlace Platform works both with wineries shipping into New York from outside the state using their direct shipping permits, and with retailers and wineries located in New York delivering their products to consumers within the state.

There are no tied house issues in connection with the MarketPlace Platform, because the Advertisers do not hold any alcoholic beverage licenses, nor do they have any ownership or other interest in any alcoholic beverage licensee or exercise any management or control over any licensee, including the Licensed Sellers.

To ensure that the funds are transferred in accordance with the protocol and the rules, the following safeguards have been established: (a) accounts have been established at a formally chartered, third party financial institution (the 3PFI, described above), and (b) the funds move into the control of the applicable Licensed Seller, and are governed by escrow instructions that are carried out by the 3PFI for the benefit of the applicable Licensed Seller.

Thomas J. Donohue  
Special Counsel, New York State Liquor Authority  
May 10, 2012  
Page 4

The MarketPlace Platform helps ensure the state of New York collects the full tax proceeds for each transaction. For every sale, New York sales taxes are remitted to the Licensed Sellers so that they can pay their taxes to the state. There is an audit trail available upon request by the state to assure proper tax collection: in all cases tax reports are generated by the MarketPlace Platform, which can be later used to easily audit tax accounts should such audits ever prove necessary.

The MarketPlace Platform is not an exclusionary system; on the contrary, any licensed New York retailer or licensed winery is eligible to participate in the MarketPlace Platform.

### CONCLUSION

The SC MarketPlace Platform is a state of the art technical compliance system that not only allows increased consumer access to the inventories of Licensed Sellers, including the small wineries and retailers of NY state (which will help them thrive and prosper, thus adding jobs and commerce to NY state), but has also been designed to achieve full legal compliance. This serves the interests of the state, the Licensed Sellers and NY consumers.

To reiterate, as the attached system protocol demonstrates:

- (1) Proceeds from sales by Licensed Sellers are solely controlled by the Licensed Sellers, which avoids the possibility of any unlicensed entity sharing in the revenue of a licensed business except through fees for service properly invoiced and properly paid.
- (2) There are no overlapping interests between licensees, or interest in a licensee by any unlicensed participant in the MarketPlace Platform system.
- (3) Age verification is performed at the front and back end of the order process (as carriers are required to obtain an adult signature for delivery).
- (4) For every transaction, the Licensed Sellers receive the full amount of sales taxes due to New York State. Sales and excise taxes are remitted to the state by New York licensees.

In conclusion, SC's MarketPlace Platform will provide wineries in New York and elsewhere with the ability to advertise their products and market them through a sophisticated, compliant, advertising platform at a lower cost and more efficiently than through traditional sales and marketing systems. The MarketPlace Platform will, in addition, benefit the New York retail system by enlisting retailers in diverse communities throughout NY to participate as Licensed Sellers.

Thomas J. Donohue  
Special Counsel, New York State Liquor Authority  
May 10, 2012  
Page 5

SC therefore respectfully requests that the NY SLA consider issuing a declaratory ruling that SC's MarketPlace System, as described in this Petition, is compliant with New York law.

In the event that the SLA requires clarification of any matter described in this Petition, or desires any more information about the MarketPlace System, we will be pleased to respond.

Respectfully submitted,



John A. Hinman  
Hinman & Carmichael LLP  
Attorney for Six88 Solutions, Inc. dba ShipCompliant

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF JUNE 20, 2012  
REFERRED FROM: COUNSEL'S OFFICE

2012-01692 (OVER)  
2012-01859 (OVER)  
2012-01940

REASON FOR REFERRAL  
REQUEST FOR DIRECTION

PUBLIC, PRIVATE, CHARITABLE AND  
OTHER EVENTS

(ADVISORY)

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JUNE 20, 2012 determined:

Item carried over to 7/10/12

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JULY 10, 2012 determined:

Item carried over to 7/25/12

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JULY 25, 2012 determined:

To: All manufacturers, wholesalers, suppliers, and distributors, whether or not licensed under the ABCL, and on premises licensees

Subject: Public, Private, Charitable and Other Events

The Authority has received questions and some expressions of concern regarding the conduct of public, private, charitable and other events by manufacturers, wholesalers, suppliers and distributors of alcoholic beverages in New York. This Advisory provides guidance on the proper conduct of said events.

1. Events Where The Sponsor Purchases The Product From Retailers

It does not constitute an improper gift or service under ABCL §101(1)(c) for manufacturers, wholesalers, suppliers or distributors of alcoholic beverages, whether or not licensed pursuant to the ABCL (hereinafter collectively referred to as "Sponsor" or "Sponsors"), to purchase alcoholic beverages from on premises licensees in the following manner and subject to the following restrictions:

(a) For consumers and business associates on an individual or incidental basis;

(b) For promotional events open to the general public, where a Sponsor spends no more than \$700.00<sup>1</sup> (excluding a wait staff gratuity of not more than 20%) for the purchase of alcoholic beverages at a licensee's regular price per licensed premises per event, and conducts no more than ten events per calendar year per licensed premises; provided that the Sponsor shall maintain, for a period of two (2) years from the date of each event, a record of the event that includes (i) its date, time, location, and estimated duration; (ii) the brand(s) that were offered; and (iii) the name of the entity, and the name(s) of the persons or agents who conducted the event on behalf of the Sponsor;

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<sup>1</sup> Supersedes 2006 Attorney General Consent Orders which established standard of \$500.00 plus 20% gratuity per licensed premises per event for "bar spend" events.

(c) For private invitation-only events closed to the general public subject to the following guidelines and restrictions:

1. A Private Event, for purposes of this Advisory, is a gathering of invitees who have an identifiable affiliation or relationship with the sponsor (e.g., a party for employees, vendors or business associates), or a common affiliation or relationship with one another (e.g., an event for journalists, sports teams or non-profit organizations). A large gathering of a group of consumers or potential consumers, without meaningful commonality other than a sponsor's attempt to market or target a demographic, shall not be considered a Private Event for purposes of this Advisory.
2. Invitees to a Private Event shall be solicited by a communication sent directly to specific individuals of legal drinking age, by individual name. The sponsor may elect to allow each such named individual to bring one guest. The solicitation may be made by a variety of means, such as letter, email, or other digital communication, phone call, delivery service or in person. In contrast, generic invitations to a group of persons, invitations posted in newspapers or on-line, or invitations authorizing anyone wishing to attend the event to register through an on-line website, may not be used to solicit attendees, and shall result in an event being subject to the restrictions set forth in (b) above.
3. A Private Event shall be held in an area that is reserved to invitees. Said area may consist of as little as one reserved table if such an arrangement is commensurate with the number of invitees.
4. The alcoholic beverage products provided for a Private Event may be limited to those of the Sponsor.
5. An employee of the Sponsor shall be present during the entire Private Event.

6. Retail licensees and their employees may be invited. However, the Sponsor may not send a general invitation for the event to all employees of a retail licensee or to a chain of retail licensees with the exception of invitations to retailer education seminars held pursuant to SLA Rule 86.8.
7. All alcoholic beverages being offered, sold or given away for consumption at the Private Event shall be NYS brand label approved and properly price posted in accordance with the ABCL.
8. All Sponsors shall maintain for a period of two (2) years from the date of the Private Event a complete record of all documents, including but not limited to agreements, contracts and expenditures, for each event held, and these records shall be made available to the Authority for inspection upon request.
9. The presence of media representatives and/or the circulation of generic media advisories shall not affect the determination of whether or not an event is a *bona fide* Private Event.
10. No Sponsor may conduct more than ten Private Events in any calendar year with the same holder of an on-premises license other than a catering establishment license, no more than fifteen Private Events in any calendar year with the same holder of a catering establishment license.
11. Private Events held exclusively for employees of the Sponsor shall have no annual limit with respect to the number of events conducted at any one licensee.

2. Events Where The Sponsor Provides The Product

- (a) Sponsor donations of alcoholic beverages for events conducted by not-for-profit, charitable, or other non-licensed third-parties or organizations, whether or not in exchange for promotional benefits for the Sponsor and whether or not such event is held at a licensed retailer, are not subject to

any restrictions under this Advisory, provided the Sponsor does not choose the retailer or caterer.

(b) Private Events or "Brand Experience" events held at a non-licensed venue, where alcoholic beverages are brought by the Sponsor or a holder of a caterer's permit is hired solely to serve the product and to provide food for the invitees, are not subject to any restrictions under this Advisory, provided any unused product is removed by the Sponsor after the event. Sponsors are reminded that a proper license or temporary permit is required for the event, and the alcoholic beverages must be properly brand label approved.<sup>2</sup>

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<sup>2</sup> (c) New York brand label approval is not required for tastings where the sponsor provides the product at an unlicensed venue pursuant to a properly issued Supplier's Permit (See SLA Advisory 2012-4).

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF JUNE 20, 2012  
REFERRED FROM: COUNSEL'S OFFICE

2012-01941

REASON FOR REFERRAL  
REQUEST FOR DIRECTION

DISPENSING MACHINE

(DECLARATORY RULING)

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JULY 25, 2012 determined:

PESETSKY and BOOKMAN  
ATTORNEYS AT LAW  
325 BROADWAY, SUITE 501  
NEW YORK, N.Y. 10007

WARREN B. PESETSKY  
ROBERT S. BOOKMAN\*

RANDYE F. BERNFELD  
Of counsel

(212) 513-1988  
FAX: (212) 385-0564  
Email: rbookman@pandblegal.com

July 10, 2012

Thomas Donohue, Esq.  
NY State Liquor Authority  
80 S. Swan Street, Suite 900  
Albany, New York 12210

Dear Mr. Donohue:

Request is hereby made for a declaratory ruling concerning a device that we believe meets the statutory requirements of the ABC Law 106(2)(b).

The device, known as a Magnetic Stirrer, uses magnetism to keep liquids mixed and in constant motion. We are convinced that this satisfies the statute and seek a declaratory ruling on that affect.

Attached is information on the device from the manufacturer. A short two (2) minute presentation is needed to demonstrate how this works. (As they say, seeing is believing).

Thank you.

Very truly yours,



Robert S. Bookman

RSB:dym  
Enclosure

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0 items

Search by name, keyword or item number  
Search

Find a Bel-Art Products  
Authorized Distributor

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Product Info

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Earth-Friendly Spoons & Sticks

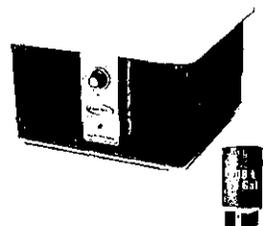
Learn more about Earth-Friendly Spoons & Sticks

Categories

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Top » Catalog » Stirring » F370280001

**370280001 COOL STIR® LARGE VOLUME MAGNETIC STIRRER**  
(F370280001)



Click to enlarge

The upgraded Cool Stir® Large Volume Magnetic Stirrer efficiently stirs fluid volumes from 10 liters up to 208 liters (2.5 to 55 gallons) employing inert PTFE-coated magnetic stirring bars. A rugged built-in aluminum support system and durable polypropylene platform are engineered to carefully carry up to 220kg (485lbs) permitting mixing in a regular plastic barrel or drum. The compact size of the unit, 39 x 39cm (15 1/2 x 15 1/2") makes it ideal for use on the bench or counter top with vessels no larger than 80 liters (20 gallons). Stirring speed is continuously changeable to around 600 rpm (maximum operational rpm that depends on volume and density) delivering torque for gentle mixing through powerful agitation with a deep vortex. The unit and its 100 watt (1/8 horsepower) motor are air cooled and heat is prevented from being transmitted to thermolabile solutions by the use of insulation. The fully enclosed design of the unit safeguards users from internal moving parts.

- Large volume stirring for tanks and drums
  - Securely supports up to 220kg (485lbs) permitting stirring in a standard plastic drum
  - Direct drive motor rotates a powerful rare earth driving magnet that couples optimally with 3" through 6" stirring bars
  - Unit features polypropylene sides that are simple to clean
- OC motor:** 100 watts, 50/60 Hz, 3-wire grounded cord  
**Dimensions:** 39 x 39 x 23cm (15 1/2 x 15 1/2 x 9 1/2")  
**Net weight:** 15 kg (33lbs.)  
**Shipping weight:** 17.3 kg (38lbs.)

Warranty Information

**Shipping:** This item ships oversize.  
**\$2,236.15 Each**

Please call customer service at 1-800-4BELART (1-800-423-5278) to complete this order.

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF JULY 25, 2012  
REFERRED FROM: LICENSING BUREAU

2012-01986C

REASON FOR REFERRAL  
REQUEST FOR DIRECTION

SUPPLIER PERMITS:

EXTENSION OF LICENSE/PERMIT TERM

The Members of the Authority at their regular meeting held at the Zone I New York City Office on JULY 25, 2012 determined:

**MEMORANDUM**  
**State Liquor Authority**  
**License Bureau**

**To:** Members of the Authority

**Date:** July 17, 2012

**From:** Kerri J. O'Brien, Deputy Commissioner

**SUBJECT: Request for Direction - Supplier's Permits**

The Licensing Bureau has received requests to extend the term of the Supplier's Permit from a one (1) year to a three (3) year term. Copies of the requests are attached.

The agency recently began renewing Supplier's Permits for a one (1) year term. Applicants were previously required to re-apply at the end of each permit term.

The requests state that the industry believes that issuing a three (3) year permit will reduce the administrative burden to the agency and assist New York wholesalers in their efforts to seek supplier compliance. It is also their belief that this time period will give the supplier additional time to integrate the activities allowed under the permit before the expiration of the permit.

Licensing Board recommends that the term of the permit be extended to three (3) years.