

STATE OF NEW YORK
LIQUOR AUTHORITY

TO: All licensed breweries and farm breweries

SUBJECT: Ingredient standards for New York state labelled beer and
beer produced by Farm Breweries

The purpose of this Advisory is to provide guidance to: 1) licensed breweries with respect to the statutory requirements to designate a product as a New York state labelled beer, and 2) farm breweries with respect to the production of any beer under their license.

New York state labelled beer

Section 3(20-d) of the Alcoholic Beverage Control Law (“ABCL”) defines “New York state labelled beer.” Until December 31, 2018, at least 20% (by weight) of the hops, and at least 20% (by weight) of all other ingredients excluding water, used to make the beer must be grown in New York state. From January 1, 2019 until December 31, 2023, those percentages are increased to 60%. Starting January 1, 2024, at least 90% (by weight) of the hops, and at least 90% (by weight) of all other ingredients excluding water, used to make the beer must be grown in New York state.

Breweries

Brewery licensees are reminded that while they may import out-of-state beer and ingredients for manufacturing purposes, they may not represent any beer as “New York state labelled beer” unless that beer meets the standards set forth in ABCL Section 3(20-d). As part of the licensee’s obligation under ABCL Section 103(7) to maintain adequate books and records, breweries should maintain documentation to demonstrate that any New York state labelled beer produced by the licensee conforms to the statutory standard.

Farm Breweries

Farm brewery licensees are reminded that they may only produce beer that meets the definition of “New York state labelled beer” absent a declaration from the Commissioner of the Department of Agriculture and Markets permitting the use of out-of-state agricultural products because of a natural disaster, act of God or adverse weather conditions. The standards contained in that definition apply to each beer produced by the farm brewery, and not the farm brewery’s overall use of ingredients in all of its beer. As part of the licensee’s obligation under ABCL Section 103(7) to maintain adequate books and records, farm breweries should maintain documentation to demonstrate that any beer produced by the licensee conforms to the statutory standard.