



NEW YORK STATE SENATOR

Eric T. Schneiderman

Sen. Schneiderman and Assm. Espaillat Crack Down on "Nutcracker"

ERIC T. SCHNEIDERMAN January 10, 2010

| ISSUE: **CODES, ALCOHOL**

| COMMITTEE: **CODES**



Northern Manhattan Leaders Join Forces To Support Schneiderman-Espaillat Bill That Increases Penalties For Selling Illegal Drinks To Teens

NEW YORK - State Senator Eric T. Schneiderman, Assemblymember Adriano Espaillat and City Councilmember Ydanis Rodriguez were joined by Northern Manhattan public officials and community leaders today at a press conference on St. Nicholas Avenue and West

186th Street to announce proposed State legislation that cracks down on the sale of alcohol without an appropriate license. The announcement comes on the heels of recent investigations, including one by the Daily News, on the sale of illegal and potent alcoholic beverages called “Nutcrackers” by barber shops, bodegas, and other stores to children as young as 14.

"Plain and simple, selling alcohol to minors is a crime -- period. We don't allow restaurants and bars to sell liquor to our children -- and we certainly are not going to permit barbers to do it. Our proposed legislation will let these businesses know that there will be serious consequences for engaging in illegal activity," said **Senator Eric T. Schneiderman (31st District-Manhattan/Bronx)**. "With their bright colors and candy flavors, these drinks are clearly being marketed to teenagers. Our legislation will ensure that this practice will not be tolerated."

The Schneiderman-Espailat bill would increase the penalties associated with selling alcohol without a license. It increases the fine from 2-3 times the cost of a license and the minimum time in jail from 30 to 60 days. In addition, the bill makes the illegal selling of alcohol to minors a ground for suspension or revocation of a barber shop's license. These stiffer penalties, especially the threat of losing their barber shop license, should deter many owners from selling alcohol to minors.

"The illegal sale of alcoholic beverages by unlicensed premises and the sale of nutcrackers to minors is a serious violation of the Alcoholic Beverage Control Law. I am proposing legislation in the State Legislature along with Senator Schneiderman, while Councilmember Rodriguez will introduce a City Council resolution in support of the legislation, that will raise the penalties for the sale of alcohol to individuals under age 21 and increase penalties for the sale of alcohol without the appropriate license," said **Assemblymember Adriano Espailat (72ndAD Washington Heights-Inwood & Marble Hill)**. "These new laws will keep alcoholic

beverages out of the hands of children and serve notice to all premises that they must obtain the proper license from the State Liquor Authority for the sale of any alcoholic beverages and adhere to the terms of the license.”

"I recognize that most small businesses including bodegas, delis and barbershops are lawful entities that provide needed good and services to the communities they serve. This legislation is intended to crack down on those businesses that are breaking the law and selling alcohol to minors. Additionally, I will introduce a measure in the City Council to support the effort of my colleagues in the State legislature" said **Council Member Ydanis Rodriguez (10th CD Washington Heights-Inwood & Marble Hill)**.