



NEW YORK STATE SENATOR

Frank Padavan

Padavan Introduces Legislation To Cap Alcohol Content In Liquor And Spirits Sold In NYS

FRANK PADAVAN June 30, 2010

| ISSUE: **ALCOHOL**

New York State Senator Frank Padavan (Queens) announced today that he has introduced legislation (S.8363) aimed at providing an alcohol content cap on all spirits and liquor sold in New York. Padavan's action comes following the recent introduction of 192 proof liquor to the New York market. 192 liquor equates to roughly 96 percent alcohol per volume.

"With the rise of underage and binge drinking in New York the introduction of these new liquors with the highest alcohol content ever sold in our state is extremely dangerous and could potentially lead to tragic outcomes," Padavan said. "Based on this recent development, we must enact legislation that allows for better monitoring of the alcohol content in the liquor and spirits sold in New York."

Under the current law, there is no mechanism for the State Liquor Authority (SLA) to stop the sale of liquor that can reach upwards 100 percent alcohol. Current law does provide SLA with the authority to stop the sale of any beer, wine or liquor that is labeled in a false and misleading way. Under the legislation introduced by Padavan, no liquor can be offered or advertised for sale which is higher than 160 proof, or a higher percentage of alcohol by volume than eighty. The sale of the liquor in question was unable to be halted by the SLA

due to how New York's current alcohol beverage control law is constructed.

"The way the law is set in New York, the SLA was unfortunately unable to stop the sale of these new and very dangerous liquors," Padavan said. "This is unacceptable and this glaring loophole must be closed. The law must allow the SLA to make a smart determination that these "modern day moonshines" should not be sold in New York."