
Empire State Restaurant & Tavern Association

Report From The Executive Director...Scott Wexler

September 2017

SLA Seminar Fall Schedule Released - Our acclaimed ABC Law/ATAP seminars return after a hiatus for the summer. We're hosting these free seminars in Binghamton, Buffalo, Syracuse, Tarrytown and Utica over the next two months. Thanks to funding provided by Anheuser Bush, Brown Forman, Constellation Brands, Empire Merchants North, Heineken, Miller Coors and Southern Glazer Wine & Spirits this valuable information is provided to you at no cost. Not only do these seminars give you an understanding of how to meet your obligations under the alcoholic beverage control law and the SLA's rules, but completion of the ATAP program can limit or reduce the penalty if your establishment serves an underage or visibly intoxicated person. Your servers also can get a reduced penalty if they make an illegal sale by taking the ATAP program.

The ABC Law Seminar begins at 10:00 am each day and ends at 1:00 pm. The ATAP Seminar starts at 1:45 pm and will be completed by 3:15 pm. Here's the schedule:

October 2	The Westin - Buffalo
October 10	Radisson Hotel - Utica
October 17	DoubleTree by Hilton - Binghamton
October 24	Holiday Inn - Syracuse/Liverpool
November 6	Westchester Marriott - Tarrytown

Log on to our website www.esrta.org for more information and to sign up to attend one of the scheduled sessions.

SLA and DMV Continue College Community Enforcement Focus - Governor Cuomo recently announced the continuation of the state's targeted enforcement efforts in New York's college communities. The enforcement activity, which was set to re-start as students return for the fall semester, will conduct sweeps of bars, restaurants, liquor stores and convenience/grocery stores looking for fake IDs and illegal sales to minors. The new round of enforcement follows up the work these agencies did in the spring during which SLA underage decoys visited 647 establishments resulting in 184 licensees charged with selling to minors. DMV investigators confiscated 127 fake IDs and arrested 112 people under 21 attempting to purchase alcohol.

The fact that the SLA is focused on college towns should not lull anyone into a false sense of security. In 2016 the SLA issued 1,077 penalties to licensees for underage sales - most not in college communities. Businesses charged with selling to minors face fines of up to \$10,000 per violation and repeat offenders also face potential license suspension or revocation. So while you need to have a heightened attention to underage sales if your business is located in or around a college community, no licensee is safe from the scrutiny of the State Liquor Authority.

New Member Benefits Unveiled - In order to fulfill our commitment to help improve our members' profitability we seek partners who are able to help serve that objective – which is why we have chosen to partner with **Service That Sells!**

Service That Sells! powered by Ready Training Online is the restaurant industry's leading provider of service, sales, and management training, offering restaurant operators training resources that can increase sales, reduce cost, improve your business' efficiency and streamline your training process - all leading to greater profitability. For more information, and to learn how Service That Sells! could help your business, visit servicethatsells.com/esrta or call them at 1- 800-247-8514.

With all the attention on underage alcohol sales enforcement and the additional exposure that presents to our members and their staffs our new partnership with **The BARS Program** will help our members protect themselves against underage stings and the expensive fines that result. This “mystery shopper” program ensures that servers consistently ask for ID and serve alcohol in compliance with the law and your business' policies. Visit The BARS Program website at www.barsprogram.com/empire or call 1-877-540-5500 to learn more about the program. Make sure to tell them you're an ESRTA member to take advantage of our Association discount on their services.

Southern Glazer Wine & Spirits Target of Class Action Lawsuit - A class action lawsuit was filed against SGWS in US District Court in California alleging fraud, unfair competition and numerous violations of federal and state alcohol distribution laws. The suit was filed on behalf of a former San Jose licensee. It alleges that Southern provided account and liquor license numbers of customers to third parties, who then used the information to illegally purchase alcohol. It also alleges that SGWS permitted its employees to purchase liquor on customers' accounts in order to meet sales quotas and also falsified sales documentation to avoid scrutiny. Much like the experience of some licensees here in New York, the plaintiff claims that Southern clients were charged for liquor they never purchased and that SGWS was aware of the practice. The New York litigation is ongoing but is not a class action case at this time. Anyone who has experienced this should contact the State Association office so we can connect you with the other licensees in a similar situation.

Big Bucks Drawing - Don't miss out on your chance to get in on this year's Big Bucks Drawing set to take place on October 31st. We still have tickets available – contact the State Association office to get yours before it's too late!