

**STATE OF NEW YORK
DEPARTMENT OF AGRICULTURE AND MARKETS**

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In the Matter of considering whether a natural disaster, act of God, or continued adverse weather condition has destroyed no less than forty percent of certain grape varieties grown or produced in New York State, for the 2023 crop year, and used for winemaking, pursuant to Agriculture and Markets Law section 16(42) and Alcoholic Beverage Control Law section 76-a(5)(b)
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DETERMINATION

Pursuant to Alcoholic Beverage Control Law section 76-a(5)(b), I am authorized to allow duly licensed farm wineries to manufacture or sell wine produced from grapes grown outside of New York State if certain conditions have been met. I have received a letter from Cornell Cooperative Extension Finger Lakes Grape Program written by Hans Walter-Peterson Senior Extension Associate dated August 17, 2023, and, after reviewing such report and assessing the findings set forth therein, I have determined that such conditions have been met; that is, I have determined that:

- Not less than forty percent of the Gewürztraminer variety of grapes grown or produced for winemaking in New York State were destroyed during the 2023 crop year; and
- Such destruction was caused by frost/freezing event in May of 2023.

Upon this Determination, I will receive and decide, after consulting with the Chairman of the State Liquor Authority, applications of eligible farm wineries for authorization to manufacture or sell wine produced from out-of-state grapes or juice, with respect to each of the above-referenced grape varieties, pursuant to Alcoholic Beverage Control Law section 76-a(5)(b), and Part 197 of Title One of the Official Compilation of Codes, Rules and Regulations of the State of New York.



Richard A. Ball
Commissioner of Agriculture and
Markets of the State of New York

Dated at the Town of Colonie
(Albany County), New York this
____ day of August, 2023