Protest against NY's 'at rest' move

7 Mar 2012 by Jancis Robinson

Harmon Skurnik of respected New York wine importer Michael Skurnik Wines has just sent this urgent call to action for anyone who wants to maintain the dynamic range of wines currently available in hs native state (the punctuation is his):

Dear Friends, Customers and all lovers of fine wine,

A critical issue to the very existence of the fine wine industry in New York has been brought to our attention and we wanted to make you aware of it. One of the largest liquor wholesalers is lobbying the State Senate hard to include an "at rest" provision in their 2012 budget. The practical effect of "at rest" means that **only those distributors delivering product out of New York warehouses could legally sell you wine**. Legislation such as this would affect essentially every wholesaler currently in operation other than the two biggest ones, since they almost all warehouse in New Jersey, including our company.

As a consumer, there is no doubt that passing "At Rest" would:

A) Increase the price of fine wines & spirits.

B) Decrease the incredible array of choices that are available here in NY.

Few, if any, marketplaces in the world offer the consumer the incredible diversity of selection at highly competitive prices that we currently have in New York State. **This is an act to not only monopolize the marketplace but to homogenize it as well.** We've all had the experience in other states, where you go to what might be an excellent restaurant but the wine & spirits list is completely boring and out of sync with what the kitchen is doing - it is this type of monopolization that leaves even the most ambitious sommeliers and restaurateurs in other markets with only the most homogenized wines & spirits to choose from. **Don't allow this to happen in NY, where we have the most dynamic restaurant and retail scene in the country which is celebrated by millions of tourists spending millions of dollars each year.**

Imagine a landscape with only the two largest wholesalers remaining to work with. Selections would become painfully limited. Prices would most certainly rise. Service would plummet. Their pro-"at rest" argument (union warehouse jobs and revenue) is simply a **veiled attempt by this wholesaler to destroy all of the fine wine wholesale competition**, because most of your valued New York wholesalers would undoubtedly be forced to close their doors. We have contacted our State Senators to tell them that we oppose "at rest" in either legislation or budget language. **We urge you to do the same before FRIDAY, MARCH 9th.** Please contact your Senator to tell them you oppose "at rest." The procedure is quick and simple. Please just click on the link: http://www.nysenate.gov/senators. Type in your address and zip code under "FIND MY SENATOR" and hit submit. Fill out the online form with your information (ignoring the drop down box), type "At Rest" in the Subject Line and either craft your own statement or feel free to copy and paste the paragraph below. We thank you for your time, your attention, and most of all your support.

Dear Senator,

It has come to our attention that one large wine & spirit wholesaler is lobbying you to include "at rest" in the 2012 budget. They are claiming "at rest" will create revenue for the State. But, as a licensed, small business that buys from many wine distributors, I do not agree that it would create revenue. Instead, I believe that "At rest" would result in hundreds of closed businesses, including both wholesalers and retailers, and at least a thousand unemployed New Yorkers. As such the State would lose hundreds of millions in taxable revenues from passing this bill. The volume of wine sold in the State (and the accompanying beverage excise tax revenue) would severely decrease. Consumer selection would be limited and the price of wine would escalate with the costs inevitably passed on to the consumer. Moreover, the ancillary effects of the resultant higher unemployment, lower sales and income tax revenues collected, would further exacerbate the current economic position of the state, not improve it. With the above in mind, we urge you NOT to vote for "at rest" either in legislation or in the budget language.