

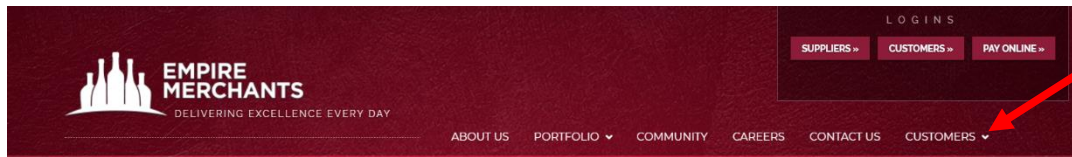


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**Customer Service and Credit  
Policy and Procedures**  
**April 2024**

# Accessing Policy/Procedure Information

- ❑ Empire Merchants policy and procedure information can be accessed from [www.empiremerchants.com](http://www.empiremerchants.com) by selecting the “Customer” tab
  - New Customer Information
  - Service Forms
  - Policies and Announcements
  - Pay Online



# Key Contact Numbers

NAME	PHONE/FAX/Email
Nina Viterbo – Customer Service, Order and Cash Application	P: 800-338-3880 ext 9270
Karolina Bigus – Credit Danuta Szymeczek – Credit	P: K. Bigus 718-383-5500 x9279 P: D. Szymeczek 718-383-5500 x9299
COD Dept	P: 800-338-3828 F: 718-389-5708 E: <a href="mailto:cod@empiremerchants.com">cod@empiremerchants.com</a>
Order Dept	P: 800-382-3820 F: 800-441-5596
Customer Service Dept	P: 800-441-5614 E: <a href="mailto:customer_service@empiremerchants.com">customer_service@empiremerchants.com</a>
Credit	P: 800-338-3880 ext 9299, ext 9279, ext 9207 F: 718-389-7175
Pay Online System Enrollment Form	P: 800-441-5614 F: 718-349-5310 E: <a href="mailto:customer_service@empiremerchants.com">customer_service@empiremerchants.com</a>



## Policy and Procedures Topics\*

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- ❑ Order Department
- ❑ Customer Service
- ❑ Credit
- ❑ COD

\* The Policies and Procedures set forth herein are subject to the laws and regulations of the NYSLA and any other authority having appropriate jurisdiction over Empire Merchants, LLC;

\* Empire Merchants policies change from time to time. Please check with your Sales Representative as the most current information may not be reflected in this document.

# Order Department

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- ❑ The Order Department can place orders and release Bill and Storage orders for Customers only
  
- ❑ **Delivery Charges**
  - **Effective April 1, 2024**, Empire Merchants, LLC will charge a delivery fee on all deliveries per the following rate schedule:
    - ❑ For all sales orders equal to or over \$1,000, a **\$5.00 delivery fee** will be assessed.
    - ❑ All sales orders less than \$1,000 will incur a \$35.00 delivery charge.
  - The charge will appear on the invoices as a separate line item titled “Delivery Fee”
  - In accordance with NYS law, an account that does not pay the delivery charges will be put on the Delinquent List with the NYSLA.
  - Only regular sales orders are used to see if the \$1,000 limit has been reached

# Order Department

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- ❑ **B&S Release Fee: Effective April 1, 2024**
  - A **\$5.00** delivery fee will be charged when goods are released from Bill & Storage **only** if there are no other regular deliveries to the same location on the same day.
  - This fee will be shown on your monthly Bill and Storage invoice and will reference the date of the Bill and Store (B&S) deliveries.

## Special Order Types: Releasing Bill and Store Orders

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- ❑ Releases may be in any quantity
- ❑ Sales reps can release Bill & Store (B&S) orders through Pocket Advantage ( this is recommended)
- ❑ Customers can release Bill and Storage goods from the “Pay Online” system or by calling the Order Department
- ❑ Refusals and short shipments at time of delivery will be added back to the Bill & Store inventory (full cases only).
- ❑ Reimbursement will be issued for any broken bottles.
- ❑ New B&S orders with a next day release must be submitted to Customer Service using [billandstoreorderrequest@empiremerchants.com](mailto:billandstoreorderrequest@empiremerchants.com) no later than 4pm for processing
- ❑ Any modifications to a bill and store order must be emailed to [billandstoreorderrequest@empiremerchants.com](mailto:billandstoreorderrequest@empiremerchants.com)

# Bill & Storage Fees

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## ❑ Rates – Effective August 22, 2022

- Per the Bill and Hold Advisory (SLA Advisory #2017-3) retailers are required to accept delivery of any and all product ordered that has remained in Empire Merchants' possession for a period of eighteen (18) months from the date of the acceptance of the order.
- Storage charges will be billed at \$0.033 per case per day based on the ending inventory in storage at the end of each day for the first 18 months that the goods are in storage
- Goods in B&S after 18 months will be charged \$2.50 per day per case for the remaining inventory. A daily charge shall include the day the goods go into storage and each day up to and including the day the goods are delivered or otherwise disposed of.
- The “in fee” is \$1.00 per case, assessed when goods are initially put into storage.
- Customers will be invoiced at the end of each month



## Next Months Orders

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- ❑ **Orders taken on the last business day of the current month for delivery on the 1<sup>st</sup> business day of the next month can be taken according to Empire Merchants policy.**
  - **IMPORTANT NOTE**: Sales will receive a communication if there are alternate ordering dates as to when orders can be placed for Allocated Items
  
- ❑ **All orders can be placed either by the Sales Rep (using Pocket Advantage(PA)) or by calling the Order Department starting at 9am on the last business day of the current month for the 1<sup>st</sup> delivery day of the next month.**
  - This exception to ordering at 9am **only** applies to ordering on the last business day of the current month.
  - Only one customer's order will be taken on each phone call
  - A Sales Admin or Order Department/Customer Care clerk is NOT allowed to cancel an order that is in the system for a customer and move such inventory to another designated customer at the reps request.
  - Sales Reps can cancel and modify orders they placed in PA (on the day the order was placed)



## Customer Service Overview

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- ❑ Basic Information
- ❑ Pickups & Exchanges
- ❑ Quantity Discounts
- ❑ Backorders
- ❑ Invoice & Credit Memo Disputes
- ❑ **Delivery Information**
- ❑ Website Overview
- ❑ Customer Service Service Forms
- ❑ Empire360 Overview
- ❑ Bill to/Ship to
- ❑ Allocated Items

## Customer Service General Information

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- ❑ Customer Service Inquires
  - Telephone number 1-800-441-5614
  - Email [Customer\\_Service@empiremerchants.com](mailto:Customer_Service@empiremerchants.com)
  - Website: Customer/Customer Service/Service Forms
  
- ❑ Information needed for all Customer Service inquiries
  - ✓ Customer Number
  - ✓ Invoice Number
  - ✓ Order Number
  - ✓ Date of Invoice
  - ✓ Item number(s)

## Customer Service - Pickups and Exchanges

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- ❑ Merchandise Picked Up for credit
  - Must be called in within 5 business days of date of delivery with a valid reason
    - ❑ Customer Service is open during shutdown periods
  
- ❑ Exchanges for un-saleable items
  - Must be called in as soon as possible but no later than 3 months for Wines and 1 month for Spirits
    - ❑ For Wines – the seal cannot be broken
  
- ❑ Exchange for breakage (full case only)
  - Must be called in within the next business day
  
- ❑ Closeout items cannot be picked up or exchanged (Final Sale)
  
- ❑ Ship to Complete orders must be called in within 5 business days of date of delivery

# Customer Service - Pickups & Exchanges

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- “As Billed”
  - Merchandise to be exchanged when the customer is billed for one item but received another item
  - Must be called in immediately upon discovery
  - In addition to the standard information that is needed, Customer Service must be provided with the specific information on the item received in error
  - Confirmation is not given from Customer Service Rep as the Discrepancy Department will need to investigate the situation. Customer Service will follow-up with Customer as appropriate

# Customer Service - Quantity Discounts

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## Quantity Discount

- ❑ Quantity discounts must be on one invoice
- ❑ If an item is short shipped on the invoice, refused, un-saleable, repacked and/or broken on delivery, item may be reordered to replace cases.
- ❑ Customer Service must be contacted with the invoice and order numbers to ensure proper crediting of discount.

## Customer Service: Backorders for Out of Stock Items

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- ❑ Backorders will not be accepted for On Premise unless specifically requested by the account
- ❑ For Off Premise only - If an item is Out of Stock, it will be placed on back order
- ❑ Distributor Made and Supplier Made Combination packages will backorder for both On and Off Premise customers
- ❑ **Backorder release process change – coming soon**

# Customer Service Disputes

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## Invoice and Credit Memo Disputes

- ❑ If a Customer claims to have not received an item on the invoice
  - As soon as possible, Customer Service must be contacted with the invoice, order and item numbers and an investigation will be launched
  
- ❑ If a credit memo is being disputed
  - Customer Service must be contacted with the invoice, order, credit and item numbers and an investigation will be launched



## Delivery Information

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- ❑ Feedback and issues can be sent to [deliverycomments@empiremerchants.com](mailto:deliverycomments@empiremerchants.com)  
This email is monitored by Customer Service and Operations
- ❑ Deliveries must be made to the licensed premise
- ❑ Delivery issues should be escalated to your manager/DOS who should in turn contact Customer Service Director
- ❑ There are limited options for delivery times which can be requested using the Customer Service forms (located on our website); This information can only be entered/updated by the Customer Service Managers

### Available Delivery Times

- |               |         |
|---------------|---------|
| ❑ Early AM    | Code 18 |
| ❑ Before 11AM | Code 07 |
| ❑ After 11am  | Code 40 |
| ❑ Before 1pm  | Code 52 |
| ❑ After 1pm   | Code 34 |
| ❑ After 3pm   | Code 05 |

# Empire Merchants Website: Customer Service Forms

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- Customers and Sales Representatives are encouraged to request all types of Customer Service inquiries online
  
- Go to [www.empiremerchants.com](http://www.empiremerchants.com)
  
- Select the “Customer” tab, click on “Customer Service” and then select “Service Forms” to fill out the necessary fields
  - An auto acknowledgement is sent when the request has been received
  - Receipt confirmation is sent when transaction is complete
  
- Ship to Complete orders can be requested using the “Service Forms” under the Customer/Customer Service tab on the website
  
- Policy FAQs are available on the website for future reference under “Policy and Announcements”

## Customer Service - Service Forms

- ❑ You can choose the problem you need corrected from a drop down menu
  - ❑ Problems include...
    - Breakage
    - Billed wrong item
    - Delivered wrong item
    - Un-saleable
    - Quantity Discount Credit
    - Mis-priced item
- ❑ You can choose the action you want taken from a drop down menu and complete all required fields
- ❑ You can upload pictures as needed

QUESTIONS OR CONCERNS?

### Customer Service Request Forms

Please fill out one of the forms below and your request will be directed to the correct department. Empire Merchants will respond within two business days.

For immediate assistance please call (800) 442-9614

General Customer Service   COD Requests

Submitted By \*

Email \*

Breakage  
Unsaleable  
Delivered Wrong Item  
Ordered Wrong Item  
Short on truck  
Quantity Discount Credit  
Mis-priced item  
Invoice Dispute  
Delivery Code Change  
Request copy of invoice  
Request copy of statement

Ordered Wrong Item ▾

Action \*

Order # \*

# Empire360.com



Access  
anytime



Fast and  
easy to use



Transparent  
pricing



Detailed  
product info

## Empire's 360 Degree E-Commerce Solution

Empire Merchants and Empire Merchants North are proud to introduce Empire360, our proprietary B2B digital sales platform. Providing an experience from discovering and purchasing to marketing and sales, Empire360 is the comprehensive e-commerce solution you've been waiting for.

**Online ordering has never  
been easier**



# Empire 360

## ✔ 24/7 access to our entire product catalog

Order anywhere, anytime. Our smart search and filters make it easy to find what you need.

## ✔ Empowering our sales force

Our sales force will have the ability to spend additional time consulting with customers who choose to place their orders online directly with Empire.

## ✔ Transparent pricing

Transparent quantity discounts, interactive assortment displays, and last, current, and next month pricing promote informed buying decisions.

## ✔ Enhanced combo listings

Combos are refined and simplified, with instantly recognizable illustrations and a clear list of contents and pricing.

## ✔ Use order history to your advantage

View all of your orders and check on backorders. Easily re-order your recurring favorites and best sellers.

## ✔ Access account information

Check your credit status, delivery days, and other important account details in one convenient location.

## ✔ Product info at your fingertips

Detailed information, including descriptions and appellations give you a product knowledge edge.

## ✔ Marketing capabilities

Access banner ads, lifestyle images, bottle shots and item details to highlight products on your own e-commerce and social media platforms.



Empire360.com



DELIVERING EXCELLENCE EVERY DAY

## Empire360 – more information

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- ❑ Empire 360 is free to sign up and use if you are already an Empire Merchants customer.
  - If you are not a customer, you must complete the “New Account Application” process before an Empire360 account can be established.
  - Once the customer is logged in – pricing information is available
  
- ❑ Customers and Sales Reps can log into empire360
  - For Customers: Go to [www.empire360.com](http://www.empire360.com) and click Log In/Sign Up. If you are a customer, click “I’m a Customer.” Enter your email and password.
  - For Customer Service and Sales: Go to [www.empire360.com](http://www.empire360.com) and click Log In/Sign Up. Click “I’m a Sales Rep.” Enter your email and password.

# Empire360 Capabilities

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## □ Current features

- Assortment Discount Pricing
- Ability to search for “Combos”
- Can view order history and previous invoices
- Can view credit status

## □ Coming soon...

- Ability to order allocated items
- Ability to cancel items
- Ability to order and release B&S
- Plus much more...

## Bill to /Ship to

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- ❑ For customers that utilize their own warehouse to store goods
  - The Retailer must obtain a valid warehouse permit from the SLA in order for Empire Merchants to deliver to the designated premise.
  - In general, warehouse permits expire annually on December 31<sup>st</sup>
  - Please contact your sales reps to place these types of orders.



# Allocated Items

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- ❑ Sales determines which items are allocated and the method of allocation
- ❑ Specific quantities of allocated items are loaded into JDE by Sales
- ❑ Allocated items can be ordered by your Sales Rep (using Pocket Advantage) or by calling the Order Department
- ❑ All Distributor Made and Supplier Made Combination Packages must be allocated and reported to the SLA
- ❑ Allocation ordering dates can vary from month to month depending on holidays, etc. Please check with your division to confirm the ordering dates.

# Empire Online and Pay by Phone

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<https://ecommerce.empiremerchants.com>



## What is “Empire Online”?

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- ❑ **Flexible web based tool that can provide**
  - ❑ Invoice information
  - ❑ Ability to pay bills (for next day or scheduled dates)
  - ❑ Payment and order history
- ❑ **Secure website**
  - ❑ Email information from Empire Online will not be used for Marketing purposes
  - ❑ Banking information does not need to be provided to view account/invoice information
    - ❑ If customer decides to opt into Paying Bills later – enrollment form will need to be amended
- ❑ **Can be setup to allow one person or multiple users (at account) to perform different functions**

## Why Should I Use “Empire Online”

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### **Convenience**

- Just requires internet access
- Easy to research invoice/order info and purchase history
- See what you owe and when it is due
- Reduce calls to Customer Care Dept

### **Speed**

- No need to wait for reps to pick up checks or mail
- No last minute overnight mail!
- Schedule multiple payments at one time

### **Simplicity**

- Straight forward to use

### **Value**

- A lot of functionality with no extra cost

## What does “Empire Online” provide?

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### **View Account Information:**

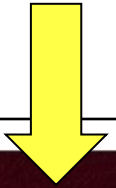
- See what I owe and when it is due
- See open invoices and credits
- Review B&S inventory balance
- Review payment history
- See details of current and past invoices and orders

### **Pay bills:**

- Pay current invoice, apply credits
- Schedule future payments
- Make on account payments

**You can register to view your account information online without providing banking information**

# Empire Online Homepage



EMPIRE MERCHANTS  
DELIVERING EXCELLENCE EVERY DAY

LOGINS

SUPPLIERS » CUSTOMERS » PAY ONLINE »

JULY SHUTDOWN 7/15 - 7/26

ABOUT US PORTFOLIO ▼ COMMUNITY CAREERS CONTACT US CUSTOMERS ▼

HOME > CUSTOMERS > CUSTOMER SERVICE

FOR IMMEDIATE ASSISTANCE: (800) 338-3880

EMPIRE MERCHANTS

erp web powered by cdi

HOME LOGIN

Welcome to Empire Merchants Account Management Web Page

Best viewed by: Internet Explorer 6.0 or higher on windows box, Mozilla Firefox 3.0 or higher on windows box, Google Chrome 4.0 or higher on windows box, Apple Safari 4.0 or higher on windows box.

Help | Privacy Policy | Customer Forms | FAQs | Contact Us

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“Pay Online” can be accessed from [www.empiremerchants.com](http://www.empiremerchants.com)

# Invoices can be paid by calling Customer Service

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**PAY BY PHONE**



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“Thank you for calling Empire Merchants, how can I help you?”

## Pay by Phone

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- ❑ **Allows Retailers to call Customer Service to pay their invoices over the phone**
  - ❑ Call Customer Service 1-800-441-5614
  - ❑ Instruct the Customer Service rep to make a payment for the same day or to schedule a future payment
  - ❑ Can pay invoices as well as make On Account payments
  
- ❑ **Secure process**
  - ❑ Banking information needs to be provided
  - ❑ Phone calls are recorded to document transaction
  - ❑ PIN Code needs to be setup by customer and provided when making a transaction



## Benefits of “pay by phone”

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- ❑ **All the same benefits of “Empire Online”**
  - Convenience
  - Easy to use
  - No need for reps to pick up check
  - No last minute overnight mail
  - Can schedule payments
  - Better customer service
  
- ❑ **Retailers can pay invoices as needed over the phone up to 4:30pm**
  
- ❑ **Contact Customer Service for Enrollment form or visit [www.empiremerchants.com](http://www.empiremerchants.com)**



## Credit Department Overview

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- ❑ Internal Collection of Accounts Receivable
- ❑ Reporting to State Liquor Authority (SLA)
- ❑ Sweep
- ❑ Establishing Credit Terms for Customers
- ❑ Changing a Customer's Credit Status
- ❑ Outside Collection Agency Procedures

## Payment Methods at Empire Merchants

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- ❑ **Payments can be received via US Mail, overnight services, courier, directly from Sales Representatives, and electronically via Empire Pay Online system:**
  - ✓ Empire Online website
  - ✓ Corporate Check
  - ✓ Bank Check
  - ✓ Money Order
  - ✓ Empire Merchants Cash Deposit Slip
  - ✓ Wire Transfer
  - ✓ Pay by Phone
  - ✓ Remote Deposit (4pm daily cutoff)
- ❑ **All payments must have the same corporation name as their liquor license. Third party payments are not accepted.**

# J. P Morgan Chase Bank – Empire Cash Deposit Slips

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## Empire Merchants Cash Deposit Slips

- ❑ Cash may be deposited directly into the Empire Merchants account at any JP Morgan/Chase Bank Location in 5 Boroughs, Nassau, Suffolk or Westchester areas.
  - ✓ **Only cash may be deposited!**
  - ✓ **No checks or other payments can be deposited!**
- ❑ Specific deposit slips must be used for this deposit:
  - ✓ Deposit slips are found in the Credit & COD Departments.
  - ✓ Customer number, Salesperson number, amount of deposit and items paid must be entered on the deposit slip.

## J. P Morgan Chase Bank – Empire Cash Deposit Slips (Continued)

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- ❑ **Original “Yellow copy” of the cash deposit slip must be submitted for payment processing to be completed:**
  - ✓ Deposit slip must be stamped by the bank, with the date and amount of the deposit or a receipt from the bank must accompany the slip.
  - ✓ Without returning the yellow slip to Empire Merchants, the account is not considered paid.

# Wire Transfers

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- ❑ Customer number, Customer name, date of transfer, total amount, and invoices being paid must be faxed to our Accounting Department:
  - ✓ Fax # 718-349-1807 Attention: Accounting Department

- ❑ Make Wire Transfers to:

**J.P Morgan Chase**

**4 Metrotech Center, 22<sup>nd</sup> Floor**

**Brooklyn, New York 11245**

Account title: **Empire Merchants, LLC.**

**Accounts Receivable Wire Transfer Account**

**ABA # 021000021**

**Account # 304915882**

- ❑ Wire transfer transactions must be confirmed before they are posted.
- ❑ **Upon confirmation of the wire transfer, orders will be shipped.**

## Check/Cash Deposit Slip Payment Drop Off Sites

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- ❑ Empire Merchants uses 16 The UPS Stores, and 1 MAILED INC. locations where *checks and cash deposit slips only* may be dropped off for overnight delivery to Empire Merchants in Brooklyn.
- ❑ The UPS Stores/MAILED Inc. locations may be used by Sales Representatives and Customers.
- ❑ No cash payments should be given to The UPS Stores/MAILED INC.
- ❑ Sales Representatives collecting Customer payments should send via the drop-off locations within 24 hours of receipt.
- ❑ Customer number & invoices paid must accompany the payment.
- ❑ Payment must be sealed in an envelope marked “Empire Merchants”.
- ❑ Payment must be dropped off prior to 4:00pm for next day delivery.
- ❑ *Empire Merchants is not responsible for undelivered packages from The UPS Stores/MAILED INC.*

# Payment Drop Off Sites

## Manhattan- Hell's Kitchen

888-C 8th Ave  
(Btwn 52nd and 53rd Street)  
New York, NY 10019  
Brad Kaplan  
Phone (212) 581-2669  
Fax (212) 581-2737  
[4769ups@gmail.com](mailto:4769ups@gmail.com)

## Manhattan-Chelsea

245 8th Ave  
(Btwn 22nd and 23rd Street)  
New York, NY 10011  
Mailed Inc (NOT UPS Store)  
Phone (212) 366-4310  
Fax (212) 366-4312  
[kevin@1homeoffice.com](mailto:kevin@1homeoffice.com)

## Manhattan- Midtown East

(Opening 12/2022)  
697 3<sup>rd</sup> Avenue  
(Btwn 3rd Ave and E 44th St)  
New York, NY 10017  
Michael Padilla  
Phone (212) 867-0001  
Fax (212) 867-0002  
[store4619@theupsstore.com](mailto:store4619@theupsstore.com)

## Manhattan- Upper East Side

1632 1st Ave  
(Btwn E 84th St and E 85th St)  
New York, NY 10028  
Brian Pahk  
Phone (212) 737-9700  
Fax (212) 737-9707  
[store6584@theupsstore.com](mailto:store6584@theupsstore.com)

## Brooklyn- Bay Ridge

9322 3rd Ave  
(Btwn 93rd and 94th Street)  
Brooklyn, NY 11209  
Biana Kronov  
Phone (718) 759-9100  
Fax (718) 759-9133  
[store4962@theupsstore.com](mailto:store4962@theupsstore.com)

## Staten Island- Oakwood

2744 Hylan Blvd  
(Btwn Tysens Ln and Ebbitts St)  
Staten Island, NY 10306  
Mgr Justin  
Phone (718) 980-0700  
Fax (718) 980-0002  
[store5400@theupsstore.com](mailto:store5400@theupsstore.com)

## Westchester

333 Mamaroneck Ave  
(Btwn Livingstone Ave and Rutherford St)  
White Plains NY 10695  
Michael Della Rocco  
Phone (914) 428-3300  
Fax (914) 428-6666  
[store0819@theupsstore.com](mailto:store0819@theupsstore.com)

## Yonkers

941 McLean Ave  
(Btwn Alexander Ave and Glover Ave)  
Yonkers, NY 10704  
Mgrs Robert/Amy  
Phone (914) 237-3100  
Fax (914) 237-5647  
[store2522@theupsstore.com](mailto:store2522@theupsstore.com)



# Payment Drop Off Sites (continued)

<b>Nassau County</b>	<b>Nassau County</b>	<b>Suffolk County</b>	<b>Suffolk County</b>	<b>Suffolk County</b>
265 Sunrise Highway (Cross Street: N Park Ave) Rockville Centre, NY 11570 Mary Beth Tain Phone (516) 678-7500 Fax (516) 578-0600 <a href="mailto:store3933@theupsstore.com">store3933@theupsstore.com</a>	94 Gardiners Ave (Btwn Jeffries Rd and Amber Ln) Levittown, NY 11766 Karen Jackson Phone (516) 735-5120 Fax (516) 735-5136 <a href="mailto:store1582@theupsstore.com">store1582@theupsstore.com</a>	15 West Montauk Highway (Btwn Pinehurst and Fort Washington) Hampton Bays, NY 11946 Ron Reatherford Phone (631) 728-6100 Fax (631) 728-6400 <a href="mailto:store4948@theupsstore.com">store4948@theupsstore.com</a>	414 W Sunrise Highway (Btwn Clubhouse Dr and Waverly Ave) Patchogue, NY 11772 Kristin Howard Phone (631) 289-5370 Fax (631) 289-5436 <a href="mailto:store2216@theupsstore.com">store2216@theupsstore.com</a>	654 N Wellwood Ave Ste D (Btwn 51st Street and Buffalo Ave) Lindenhurst, NY 11757 Walter & Marilyn Goldsmith Phone (631) 225-6887 Fax (631) 225-7076 <a href="mailto:store1961@theupsstore.com">store1961@theupsstore.com</a>
<b>Suffolk County</b>	<b>Suffolk County</b>			
169 Commack Rd, Suite H (Cross Street: Dorothea St) Commack, NY 11725 Bob Szczurowski (631) 858-2332 Fax (631) 858-2333 <a href="mailto:store4885@theupsstore.com">store4885@theupsstore.com</a>	81 Newtown Lane (Cross Street: Muchmore Ln) East Hampton, NY 11937 Diana Peralta/Kinga Knap Phone (631) 907-1100 <a href="mailto:store5316@theupsstore.com">store5316@theupsstore.com</a>			

## NYSLA – Default Reporting

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- ❑ It is the responsibility of the Credit Department to comply with **New York State Liquor Authority (NYSLA)** regulations.
- ❑ Customers will be reported to the NYSLA under the following conditions:
  - Payment is not received from any Customer according to the NYSLA credit calendar schedule. The types of reports issued are:
    - ✓ Delinquent Report
    - ✓ Report in Dispute
  - Any check/electronic payment is returned unpaid by the licensee's bank by the final payment date according to the NYSLA credit calendar schedule.
    - ✓ Bounced check ( with \$30 penalty fee)
- ❑ Published interest and service charges will continue to be assessed on all delinquent balances.

## NYSLA – Default Reporting (Continued)

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- ❑ **If payment for an invoice is not received by the due date:**
  - Customer will be reported to the NYSLA as “Delinquent” on a daily basis or as specified by the SLA.
  - Customer is put on COD credit status.
  - **Payments for COD invoices must be in the house within 48 hours from the date the goods are delivered.**
    - ✓ If payment of a COD invoice is not received **according to this timeline**, the account becomes CIH (Certified in House).
  - Checks should be picked up on the day of delivery or no later than the next business day.
- ❑ **If payment is received but a small balance remains unpaid:**
  - Customer may be reported as “In Dispute” daily to the NYSLA.
  - The Customer credit status will remain unchanged.
  - If the disputed amount is not resolved within 7 calendar days, the Customer will be reported as “Delinquent”.

# SLA – Issuing Default Notices

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## Issuing Notices of Payment (on default balance) to NYSLA

- ❑ Payment is received for all outstanding merchandise defaults previously reported to the NYSLA.
- ❑ Electronic notification is sent to the NYSLA informing them of payment.
- ❑ The NYSLA releases the Customer from default status when all of their outstanding reports (with all wholesalers) have been satisfied.
- ❑ Customer may then be considered for a change to Open Terms status.
- ❑ If the Customer status is COD or CIH, no open CODs are outstanding, and not listed in default by the NYSLA, the Customer will be placed on Open Terms status via electronic “sweep” of the NYSLA list.
- ❑ Credit Department electronically sweeps the NYSLA list of delinquent retailers hourly.

# SLA Default Email Notification Program

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## SLA Advisory allows Retailers to receive email Default Notifications

- ❑ The email notification service is completely voluntary.
  - ✓ Customers may opt out and continue to receive letters via US Mail.
- ❑ Customers signed up will receive two separate emails:
  - ✓ **1<sup>st</sup> Notice - Invoices due to be reported to the SLA in 5 days.**
  - ✓ **2<sup>nd</sup> Notice - Notice of Default on the same day the Customer is reported “Delinquent” with SLA on its website.**
  - ✓ Sales Representatives are only notified via email on the 2<sup>nd</sup> Notice for each of your Customers participating in the program.
- ❑ Customers who participate in the email notification service will not receive a duplicate notice via US Mail.

## SLA Default Email Notification Program Benefits

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- ❑ Customers will be notified of invoices coming due - **(1<sup>st</sup> Notice)**.
- ❑ Customers can then follow-up with Sales Representative or Customer Care department if there are issues or questions.
- ❑ Customers will be notified the day they are reported by Empire Merchants with default amount - **(2<sup>nd</sup> Notice)**.
- ❑ You, as a Sales Representative, will know when your Customer has been reported by Empire Merchants.
- ❑ Combined with Empire Pay Online system, a Customer has a powerful way to resolve a delinquent SLA status quickly and efficiently.

## SLA Default Email Notification Program

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- ❑ Customer must complete and sign a enrollment form.
- ❑ Return completed form to the Credit Department via mail or fax.
- ❑ Empire will confirm the Customer's e-mail address by sending an acceptance e-mail to the Customer. ***This initial confirmation e-mail must be responded to within 10 days for the Customer to be activated.***
- ❑ Enrollment forms are available:
  - ✓ On our Website [www.empiremerchants.com](http://www.empiremerchants.com) (under "Pay Online" tab).
  - ✓ Contact your Sales Representative or Customer Care.

# Establishing Customer Credit Terms

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- ❑ Customer credit terms are set when a Credit Application is submitted and approved by the Credit Department.
- ❑ New On and Off Premise Customers must fill out an Empire Personal Guaranty in the **exact legal business entity as registered with the NY Department of State** and archived on its website.
- ❑ ***The Personal Guarantor must be named on the NYSLA license.***
  - An Empire Credit Application is required for all new accounts.
  - A credit report will be run on the individual(s) who signs the Personal Guaranty as they are taking responsibility for payment to Empire Merchants. Upon receipt of a signed form that provides approval to Empire Merchants to request a credit report, the credit report will be run.
  - This credit report will help determine credit status.
  - All credit information will be kept strictly confidential.



# Establishing Customer Credit Terms (Continued)

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- ❑ ***On-Premise Customers only owned by the same individual*** may submit an “Also Owns” form to help establish Open Terms credit.
  - ✓ The “Also Owns” form certifies the Customers are owned by the same individual, and that they are all to be taken into consideration when determining credit status and/or credit limit.
  - ✓ Customers listed on the “Also Owns” form may, from date form is submitted, be considered linked for credit purposes, but obtaining individual Personal Guarantees for each entity is best practice.
- ❑ Personal Guaranty and “Also Owns” forms can be obtained in Credit Department.
- ❑ Personal Guarantees must be filled out completely and accurately, using the ***exact legal entity as registered with the NY Department of State*** - the original document must be signed, notarized and returned to the Credit Department.

# Requesting Customer Credit Status Changes

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## Requesting Credit Status Change to Open Terms

- The Credit Department runs an electronic “sweep” of SLA delinquent licenses on an hourly basis.
- If a Customer is not reported “Delinquent” on the SLA website, has no open CODs outstanding, and is not currently on CHH terms of sale, credit status may be changed back to Open Terms based on Credit Manager review.
- ***Orders placed while the Customer is on COD are not automatically released; they must be manually released.***
- ***For Customers on CHH (Cash in House, Exception) credit status can only be changed by the Credit Management team.***
- ***Ultimately the decision to put an account on Open Terms is determined by the Credit Management team.***

# Requesting Customer Credit Status Changes (Continued)

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## Requesting Credit Status Change to Open Terms

- Even if a Customer does not appear “Delinquent” with SLA, Open Terms credit status is not guaranteed.
- While we recognize the urgency to remove Customers from “Delinquent” status with SLA, Empire requires all contact with NY State Liquor Authority to go through Credit department.
- If a solicitor wishes to check on a default filing, it should be directed through the Credit Department or Customer Care.
- Solicitors should not contact SLA directly.



## COD Department - Overview

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- ❑ Releasing COD orders
- ❑ Releasing CIH orders
- ❑ Releasing CHH orders
- ❑ Requesting a CIH to COD status change
- ❑ Requesting a CHH status change

## COD Department - Releasing COD/CHH Orders

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- ❑ Sales Representative must have in hand, a certified check, money order or Empire Merchants deposit slip in the amount of the order.
  - **The COD Department does not accept cash.** Cash payments should be remitted to our bank, JP Morgan/Chase using appropriate deposit slips provided to Sales.
  - **Cash payments are not accepted by any department at Empire Merchants.**
  - Although cash has been deposited into the Empire Merchants bank account, it is not considered paid until the yellow copy of cash deposit & bank receipt is delivered to Credit department.
- ❑ Sales Representative must email/call the COD department with the information to request the order be released.

**COD@EMPIREMERCHANTS.COM**

## Requesting CHH to COD Credit Status Change

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- ❑ The decision to change CHH terms to any other terms is determined solely by a Credit Management team.
- ❑ **All open COD/CIH orders must be paid in full to be considered for a credit status change.**
- ❑ CIH status happens automatically when a COD is open for more than 48hrs. No other orders will ship until that COD is satisfied.
- ❑ If a Customer is constantly late paying CODs, bounces too many checks or is otherwise deemed unworthy of COD, the credit status **may remain CHH indefinitely.**

## Placing Customers with Outside Collection Agency

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- ❑ When all Empire Credit Department internal collection efforts on delinquent balances have been exhausted, it may be necessary to send a Customer to an outside collection agency.
- ❑ Customer receives a “10 Day Final Demand Notice” via US Mail.
- ❑ Sales Representative receives an email notification from the assigned Collection Agent that the demand letter has been sent.
- ❑ Once a Customer is turned over for collection, all correspondence and payments concerning past due amounts should be directed to:

***K.I.P. Collection Services, Inc.***

***222 Atlantic Avenue***

***Oceanside, NY 11572***

***Phone Number 1-516-872-4200***

***Fax Number 1-516-872-4657***