

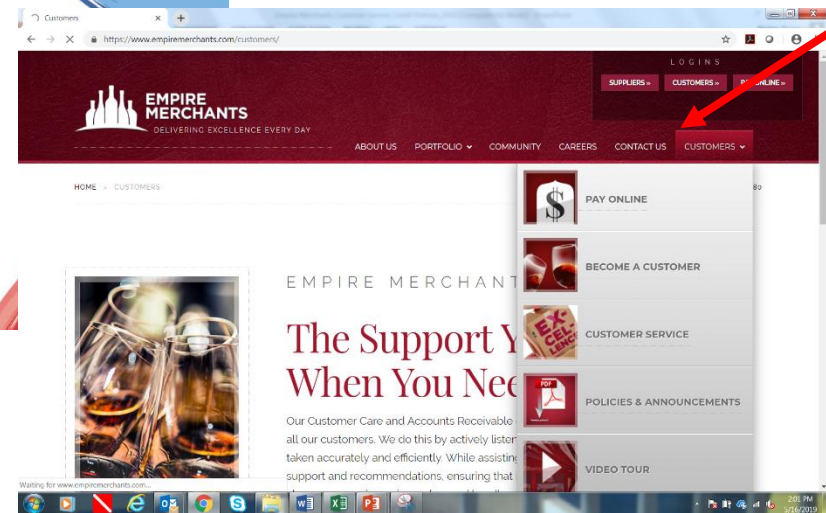
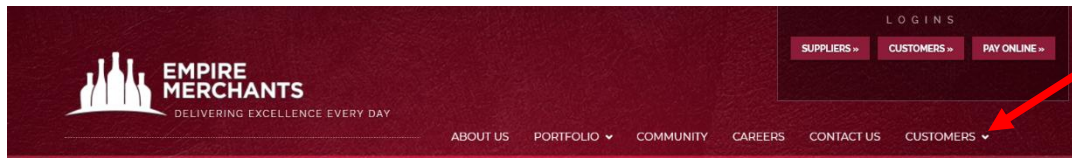


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**Customer Service and Credit  
Policy and Procedures**  
**May 2026**

# 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 E: <a href="mailto:cod@empiremerchants.com">cod@empiremerchants.com</a>
Order Dept	P: 800-382-3820
Customer Service Dept	P: 800-441-5614 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 June 1, 2025, 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 \$7.50 delivery fee will be assessed.
    - ❑ All sales orders less than \$1,000 will incur a \$37.50 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
- ❑ **Split Case Fee**
  - All orders of less than one full case are subject to a split case charge of \$40.80 per case.

# 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 held after the end of the 18<sup>th</sup> month 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

# Order Department

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- ❑ **B&S Release Delivery Fee: Effective June 1, 2025**
  - A \$7.50 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.
  
- ❑ **Congestion Fee: Effective June 1, 2025**
  - The congestion zone fee of \$2 will apply ONLY to those accounts located in the Congestion Relief Zone, which is south of 60<sup>th</sup> street in Manhattan

## Special Order Types: Releasing Bill and Store Orders

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- ❑ Releases may be in any quantity
- ❑ Sales reps can enter and release Bill & Store (B&S) orders through Pocket Advantage ( this is recommended)
  - New B&S orders with a next day release entered prior to 4pm can be done in Pocket Advantage
  - New B&S orders with a next day release entered after 4pm must be submitted to [billandstoreorderrequest@empiremerchants.com](mailto:billandstoreorderrequest@empiremerchants.com) no later than 4:45pm
- ❑ Customers can place and release Bill and Storage orders using empire360.com 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.
- ❑ Any modifications to a bill and store order must be emailed to [billandstoreorderrequest@empiremerchants.com](mailto:billandstoreorderrequest@empiremerchants.com)

## 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
- ❑ Ship to Complete
- ❑ Quantity Discounts
- ❑ Backorders
- ❑ Invoice & Credit Memo Disputes
- ❑ Delivery Information
- ❑ Non Alcoholic Sales
- ❑ Customer Service Forms
- ❑ Website and 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**
  - 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)

## 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 – Ship to Complete (STC) Process

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**Empire Merchants will automatically Ship to Complete (STC) the full case that was refused for breakage, unsaleable or was short shipped at the end of each day.**

- ❑ The Customer does not have to call Customer Service to initiate this request.
- ❑ All Sales Reps and Managers assigned to the account will receive an email notification confirming the STC and when the goods will be delivered (typically within 2 business days).
- ❑ If the customer refuses a STC at any time, the discounts will be dropped.
- ❑ This transaction results in the issuance of a credit memo for the item refused on delivery and a new invoice will be generated for the replacement item.

## **MONTH END PROCESS FOR RESHIPS**

- ❑ On the last business day of the month, instead of voiding these orders (that normally would be reshipped during the month), Customer Service will STC these orders that require a reshipment at the appropriate pricing.
- ❑ All Sales Reps and Managers assigned to the account will receive an email notification confirming the STC and when the goods will be delivered (typically within 2 business days).
- ❑ This transaction results in the issuance of a credit memo for the order not delivered (on the last day of the month) and a new invoice will be generated for the replacement item at the appropriate pricing.
- ❑ Sales Reps must inform the customers of this transaction and if the order needs to be cancelled, Sales Rep can email Customer Service at [shiptocomplete@empiremerchants.com](mailto:shiptocomplete@empiremerchants.com) to cancel the order.

# 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

# 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
- ❑ Changes to a customer's delivery time can be made by emailing [deliverycodechange@empiremerchants.com](mailto:deliverycodechange@empiremerchants.com)

## Available Delivery Times

- |                 |         |
|-----------------|---------|
| ❑ Early morning | Code 18 |
| ❑ After 10am    | Code 41 |
| ❑ 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) or [www.empire360.com](http://www.empire360.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
  
- Policy FAQs are available on these websites 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 # \*

## 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>
  - Information can be emailed to [billtoштиpto@empiremerchants.com](mailto:billtoштиpto@empiremerchants.com).

# 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
  - Distributor Made Combination packages can be ordered on Empire360.com
- ❑ Allocation ordering dates can vary from month to month depending on holidays, etc. Please check with your division to confirm the ordering dates.

## **Non Alcoholic Sales – Effective May 2025**

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**Per SLA Advisory, non-alcoholic wine or spirits are only available to On Premise accounts**

- ❑ Off premise accounts are not permitted to carry such products
- ❑ New Accounts –If an account does not sell alcoholic beverages, please reach out to the Credit Directors to discuss

**There will be a separate invoice for the non-alcoholic products; All current fees apply to sale of non alcoholic items**

- ❑ The delivery fee will be presented on the alcoholic invoice unless the customer has only ordered non-alcoholic items ( and then the delivery fee will be on the non alcoholic invoice); The total of the alcoholic and non alcoholic items are used to determine the delivery fees

**Accounts cannot be put on the default list for a failure to make timely payment of the non-alcoholic items.**

- ❑ Non-Alcoholic invoices will be deemed past due on the 35<sup>th</sup> day. They will not be reported to the SLA but the account will be turned internal COD until the past due invoice is paid

# Empire360 and Pay by Phone

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# Empire360 Capabilities

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## ❑ **Current features**

- Order online
- Search for Combination Packages
- Assortment/Quantity Discount Pricing Information
- Order history (and view invoices)
- Order and release B&S
- View current inventory (in stock, low stock, out of stock)
- Pay invoices online
- View credit status

## Empire360 – Login 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.

# 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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### ❑ Benefits

- Convenience
- Easy to use
- No need for reps to pick up check
- No last minute overnight mail
- Can schedule payments
- Better customer service
- Automatic notice of payment

❑ **Retailers can pay invoices as needed over the phone up to 5pm**

❑ **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**
  - ✓ Empire360.com
  - ✓ Corporate Check
  - ✓ Bank Check
  - ✓ Money Order
  - ✓ Empire Merchants Cash Deposit Slip
  - ✓ Wire Transfer
  - ✓ Pay by Phone
  - ✓ Remote Deposit (4pm daily cutoff)
  
- ❑ **Remote deposits can be made by the Sales Rep using the Chase app**
  - Reps must have the check in hand ( pictures of checks from customers cannot be accepted)
  
- ❑ **All payments must have the same corporate name as stated on 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 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)

Nassau County
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>

Nassau County
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>

Suffolk County
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>

Suffolk County
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>

Suffolk County
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>

Suffolk County
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.

## SLA Default Email Notification Program

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- ❑ Customer must complete and sign an enrollment form.
- ❑ Return completed form to the Credit Department via mail.
- ❑ 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 [empire360.com](http://empire360.com)

# How to Become an Empire Merchants Customer

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Go to [Empiremerchants.com](http://Empiremerchants.com) and select “New Customer” and Customers should be prepared to provide the following information...

- ❑ A valid license issued from the New York State Liquor Authority.
- ❑ A completed ST-120 form found in the [New Accounts Application](#) and a copy of the Certificate of Authority.
- ❑ Please return the completed form to [newaccounts@empiremerchants.com](mailto:newaccounts@empiremerchants.com).
- ❑ If you are an owner/officer of other establishments that hold New York State on-premise liquor licenses, please complete the “Also Owns” form found in the [New Accounts Application](#).
- ❑ Please return the completed form to [newaccounts@empiremerchants.com](mailto:newaccounts@empiremerchants.com).
- ❑ In order for Empire Merchants to extend credit terms, a personal guarantee is required.

The application is available to complete online. A short how-to video is available to watch to assist you prior to completing the online application.

## 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:

**Richard A. Klass, Esq.**  
**16 Court Street, 28th Floor**  
**Brooklyn NY 11241**  
**Phone: (718) 643-6063**  
**Fax: (718) 643-9788**