

September 11, 2013

Telephone: (717) 783-9454

FAX: (717) 787-8820

Alice Sande Spataro
Trade Marketing Manager
Pittsburgh Brewing Company
3340 Liberty Avenue
Pittsburgh, PA 15201

RE: Online Age Verification

Dear Ms. Spataro:

ISSUE: This office is in receipt of your e-mail of August 12, 2013, in which you inquire, on behalf of Pittsburgh Brewing Company, whether your company would be required to have an age verification process on a planned online store in order to prevent people under the age of twenty-one (21) from buying your beer-logoed merchandise. You ask whether it would be sufficient to ask the prospective purchaser to enter his or her birthday and prevent access to anyone under the age of twenty-one (21), or whether the liquor laws specify age verification procedures.

Records maintained by the Pennsylvania Liquor Control Board (“Board”) indicate that Iron City Brewing LLC, t/a Iron City Brewing Company, holds Brewery License No. G-25 (LID 58836) for use by it at its licensed premises located at 3340 Liberty Avenue, Pittsburgh, Pennsylvania.

OPINION: Be advised that nothing in the Liquor Code or the Board’s Regulations requires a purchaser of beer-logoed merchandise, which does not contain any beer or other alcohol, to be at least twenty-one (21) years of age. Therefore, in response to your specific question, there is nothing in the Liquor Code or the Board’s Regulations which would require age verification of purchasers of beer-logoed merchandise, so long as such merchandise does not contain beer or other alcohol.

If you have any additional questions regarding the Liquor Code or the Board’s Regulations, please feel free to again contact this office.

THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR OTHERS FROM CONSEQUENCES OF CONDUCT OCCURRING PRIOR TO ITS ISSUANCE. THE PROPRIETY OF THE PROPOSED CONDUCT HAS BEEN ADDRESSED ONLY UNDER THE LIQUOR CODE AND REGULATIONS. THE LAWS AND POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Very truly yours,

FAITH S. DIEHL
CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement
Jerry W. Waters, Director of Office of Regulatory Affairs
Tisha Albert, Director, Bureau of Licensing
Jeffrey Lawrence, Assistant Director, Bureau of Licensing

LCB Advisory Opinion No. 13-416