

March 14, 2014

Telephone: (717) 783-9454

FAX: (717) 787-8820

Matthew Beauchesne  
Marketing and Communications Director  
Chaddsford Winery

**RE: Chaddsford Winery**

Dear Mr. Beauchesne:

**ISSUE:** This is in response to your e-mail dated January 30, 2014, wherein you inquire about running a promotion on Facebook in which your limited winery would give away a basket containing wine.

Records maintained by the Pennsylvania Liquor Control Board (“Board”) indicate that Chaddsford Winery, Ltd., is the holder of Limited Winery License No. LK-40 (LID#8870) for the premises located at 632 Baltimore Pike, Chadds Ford, Pennsylvania.

**OPINION:** Section 13.53 of the Board’s Regulations [40 Pa. Code § 13.53] provides that representatives of manufacturers and licensees may give or purchase an alcoholic beverage for consumers in retail licensed premises provided the giving of the alcoholic beverage is not contingent upon the purchase of any other alcoholic beverage and is limited to one (1) standard-sized alcoholic beverage per patron in any offering. Further, a standard-sized alcoholic beverage is defined as twelve (12) fluid ounces of malt or brewed beverage, four (4) fluid ounces of wine (including fortified wine) and one-and-one-half (1½) fluid ounces of liquor. [Id.].

As a limited winery giving away wine to the winner of a promotion, you are restricted to giving away only a standard-sized portion of four (4) ounces of wine as part of the basket, pursuant to the above regulation.

Matthew Beauchesne

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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, Acting Assistant Director, Bureau of Licensing

LCB Advisory Opinion No. 14-078