

July 25, 2014

Telephone: (717) 783-9454

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Vickie Greff  
Blue Mountain Vineyards & Cellars  
7627 Grape Vine Drive  
New Tripoli, PA 18066

**Re: Selling Wine for Use at a Wedding**

Dear Ms. Greff:

ISSUE: This is in response to your e-mails sent on June 27, 2014, and July 18, 2014, wherein you advise that you have a limited winery license as well as an additional Board-approved location in the Reading Terminal Market (“the Market”). The Market will serve as the venue for a wedding in early August 2014. You advise that the wedding party would like to purchase your wine, prior to the date of the wedding, to serve at the reception. The wedding reception will not be occurring on your licensed premises. You have contacted this office because the event department at the Market has asked for something in writing stating that it is permissible for your wine to be served in the Market to wedding guests.

Records of the Pennsylvania Liquor Control Board (“Board”) indicate that Blue Mountain Vineyards & Cellars holds Limited Winery License No. LK-136 (LID 43916) for the premises at 7627 Grape Vine Drive, New Tripoli, Pennsylvania, with an additional Board-approved location, Limited Winery License No. LK-136-5, at 12 East Arch Street, Philadelphia, Pennsylvania.

OPINION: Section 505.2(a)(3) of the Liquor Code authorizes the holder of a limited winery license to separately, or in conjunction with other limited wineries, sell alcoholic cider, wine and/or wine coolers produced by the limited winery at no more than five (5) Board-approved locations other than the licensed premises, with no bottling or production requirement at those additional locations. [47 P.S. § 5-502.2(a)(3)]. Therefore, you may sell wine from your location at the Market that will be consumed off of your licensed premises.

There is nothing in the Liquor Code or the Board’s Regulations that prohibits an individual from bringing his or her own beer, wine or liquor (commonly called

“BYOB”) into any establishment, whether or not the establishment possesses a license issued by the Board. An establishment such as the Market is, therefore, free to allow or disallow patrons from bringing their own alcohol onto its premises, although the Market may not allow such alcohol to be consumed by minors or people who are already visibly intoxicated. [47 P.S. § 4-493(1)].

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. 14-444