

November 20, 2014

Keith Mock  
Director of On Premises Sales  
All Star Distributing  
A division of Origilio Beverage

**RE: Sales to Non-Licensed Club Accounts**

Dear Mr. Mock:

ISSUE: This office is in receipt of your e-mail dated October 6, 2014, wherein you indicate that you work for a beer wholesaler in Pennsylvania. You previously had contacted the PLCB with a question regarding sales to a non licensed account and had received a verbal response that you are able to sell to anyone of age and not visibly intoxicated. The beer wholesaler is currently under new ownership and seeks a documented response as to whether you may continue sales to a retiree club that is funded by a company and does not charge its members and to another club that does not charge members, but accepts voluntary donations.

Records maintained by the Pennsylvania Liquor Control Board (“Board”) indicate that Antonio Origlio, Inc. holds Importing Distributor License No. ID-512 (LID 25669) for premises located at 3000 Meeting House Road, Philadelphia, Pennsylvania.

OPINION: Please be advised that section 492(15) of the Liquor Code [47 P.S. § 4-492(15)] prohibits any malt or brewed beverage licensee from knowingly selling any malt or brewed beverages to any person engaged in the business of illegally selling liquor or malt or brewed beverages. If your company does not have knowledge of any illegality, sales of malt or brewed beverages to non-licensed accounts are permissible.

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

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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. 14-556