

April 17, 2015

Scott

Re: Beer Delivery Guidelines

Dear Scott:

ISSUE: This is in response to your e-mails of March 12 and 13, 2015, wherein you state that your company holds a brewery (“G”) and a brew pub (“GP”) license. You are seeking clarification of the recent Advisory Notice 22 which speaks to delivery privileges being extended to retail licenses. You inquire whether the same privileges/benefits would apply to either a brewery or brew pub, noting that, to the consumer, a brew pub is nearly identical to a restaurant.

Records of the Pennsylvania Liquor Control Board (“Board”) indicate that the East End Brewing Company, Inc. holds Brewery License No. G-373 (LID 52900) for premises located 8580 Frankstown Avenue, Pittsburgh, Pennsylvania and Brewery Pub License No. GP-373 (LID 69893) for premises located at 147 Julius Street, Pittsburgh, Pennsylvania.

OPINION: Although there is nothing in the Liquor Code or Board Regulations that would preclude the holder of a G or GP license from applying for a transporter-for-hire license, there is no rationale/need to do so. Inherent in the G license is the right to self-distribute/deliver.

Should you have any other questions and/or issues related to the Liquor Code or the Board’s Regulations, please feel free to once 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

Scott via e-mail: eastendbrewing@gmail.com

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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. 15-164