

December 14, 2015

Jim Hough  
Mingo Creek Craft Distillers, LLC  
68 West Maiden Street  
Washington, PA 15301  
**VIA E-MAIL**

**RE: Sale of Items at Limited Distillery**

Dear Mr. Hough:

ISSUE: This is in response to your e-mail of November 5, 2015, wherein you state that you and your wife are in the process of starting a limited distillery. You inquire if the sale of logo shirts, hats, glassware, and other items is permissible. All merchandise will bear the name of your logo or your registered trademark.

Records of the Pennsylvania Liquor Control Board (“Board”) indicate that Mingo Creek Craft Distillers, LLC holds Limited Distillery License No. AL-46 (LID 71223) for use by it at 68 West Maiden Street, Washington, Pennsylvania.

OPINION: The Board’s Regulations provide that limited distilleries are permitted to sell, in addition to the sale of liquor, liquor accessories, specifically:

1. Cork removers and other bottle openers.
2. Glasses, shot glasses, decanters and flasks.
3. Pourers and bottle stoppers.
4. Cocktail mixers, shakers and other cocktail preparation accessories.
5. Cocktail forks, toothpicks, stirrers, napkins and gift bags.
6. Publications dealing with liquor.

7. Promotional items advertising the limited distillery or distillery such as tee shirts, glassware, caps, and the like.

[40 Pa. Code § 11.221(b)].

Accordingly, you are permitted to sell the aforementioned. Please note that the sales of any items that are not listed in subsection (b) are subject to Board approval. [40 Pa. Code § 11.221(c)]. The approval shall be requested by letter addressed to the Board. [Id.].

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 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,

RODRIGO J. DIAZ  
EXECUTIVE DEPUTY 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.: 15-472