

December 23, 2015

Gregg Betti  
Capra Collina Winery  
**VIA E-MAIL**

**Re: Additional Location with Other Business**

Dear Mr. Betti:

ISSUE: This is in response to your e-mail dated November 30, 2015, wherein you advise that you would like an advisory opinion about an additional location for your limited winery. The proposed location would be co-located with another business that sells olive oils and balsamic vinegar, not alcohol. You understand you would need to have a manager dedicated to this location. You ask if you would need to have the wine secured separately from the rest of the store, such as in a locked wine rack or a separate room with a separate key and entrance.

Records of the Pennsylvania Liquor Control Board (“Board”) indicate that Capra Collina Vineyard, Inc., holds Limited Winery License No. LK-189 (LID 52685) for the premises at 132 Constitution Avenue, Jessup, Pennsylvania.

OPINION: Licensed limited wineries may sell alcoholic cider, wine and wine coolers produced by the limited winery on no more than five Board-approved locations other than the licensed premises. [47 P.S. § 5-505.2(a)(3)]. The location must be enclosed by soundly-constructed walls, with controlled points of access and egress directly accessible to the general public from a public thoroughfare, and all portions of the premises must be contiguous. [40 Pa. Code § 3.64(a)(3), (5)]. As you are aware, a manager must be appointed for the additional location. [40 Pa. Code § 3.64(a)(4)].

Further, please note that licensed premises may not have an inside passage or communication to or with any business conducted by the licensee or other persons except as approved by the Board. [40 Pa. Code § 3.52(b)]. Therefore, you would need to request permission from the Board, through the Board’s Bureau of Licensing (“Licensing”), for the additional location to have an interior connection to this other business. You may submit your request to Licensing via regular mail at P.O. Box 8940, Harrisburg, PA 17105-

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8940 or via e-mail at [ra-lbLicensing@pa.gov](mailto:ra-lbLicensing@pa.gov). Your request will be reviewed by Licensing; the ultimate determination shall be made by the three-member Board.

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. 15-511