



Northwest Office Building
Harrisburg, Pennsylvania 17124-0001
www.lcb.state.pa.us

February 29, 2016

Jake Voelker
Voodoo Brewing Co LLC
VIA E-MAIL

RE: Brewery Collaborating with Limited Winery

Dear Mr. Voelker:

ISSUE: This office is in receipt of your e-mail of January 29, 2016, wherein you ask whether a brewery (“G”) licensee may brew a beer in collaboration with a licensed limited winery (“LK”), with the LK only providing consultation, and then sell that beer in your brew pub and in an offsite storage facility.

Records of the Pennsylvania Liquor Control Board (“PLCB”) indicate that Voodoo Brewing Co LLC (“Voodoo”) is the holder of Malt Beverage Manufacturer License No. G-392 (LID 58285) for use at the premises located at 215 ½ Arch Street, Meadville, Pennsylvania. Voodoo also holds Brewery Pub License No. GP-392 (LID 67693) and Brewery Storage License No. GS-392 (LID 70023), both for the noted Meadville location.

OPINION: There is nothing in the Liquor Code or PLCB’s Regulations that would expressly prohibit a G licensee from obtaining consultant services at market value from an LK licensee, so long as the LK does not have an unlawful pecuniary interest in the product or in the G license. If the intended “collaboration” is more involved than simply the exchange of information, then, as this is a private commercial undertaking, you and the LK are encouraged to seek private counsel experienced in Pennsylvania liquor law.

Next, a Pennsylvania manufacturer may maintain no more than two storage licenses to cover storage facilities, separate from the location of the manufacturing facility, and those storage facilities may be used to receive, store, repackage, sell, and distribute malt or brewed beverages in the same manner as they can at their place of manufacture. [47 P.S. § 4-431(a.2) (emphasis added)]. Thus, if the product in question is lawfully manufactured, it may be sold in your licensed brew pub and at your licensed storage facility.

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.

Sincerely,



RODRIGO J. DIAZ
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. 16- 057