

July 1, 2016

Ed Belfoure
Red Pump Spirits, LLC
VIA E-MAIL

RE: Request for Sunday Sales

Dear Mr. Belfoure:

ISSUE: This is in response to your e-mail dated June 14, 2016, in which you ask for a permit to operate on Sunday, July 10, 2016, from 11:00 a.m. to 6:00 p.m. in conjunction with the Washington County Whiskey Rebellion Festival (“Festival”). You advise that it is only for this Sunday that you make this request; you note that Red Pump Spirits, LLC, does not currently have a permit to sell its products on any Sunday.

From a map of the Festival that is available online, it appears that Red Pump Spirits, LLC, will be participating in the Festival from its licensed premises. It is assumed that your request is to sell from the licensed premises on a Sunday.

Records of the Pennsylvania Liquor Control Board (“PLCB”) indicate that Red Pump Spirits, LLC, holds Limited Distillery License No. AL-67 (LID 72865) for use at the premises located at 32 North Main Street, Washington, Pennsylvania. No other license is assigned to this location.

OPINION: The Liquor Code restricts retail licensees from selling on Sunday without a permit. 47 P.S. § 4-406. However, it does not restrict a limited distillery from selling its product on Sunday. 47 P.S. § 5-505.4. Therefore, no Sunday sales permit is required. Please be aware that the hours of sale must occur between 9:00 a.m. and 11:00 p.m.

Should you have any other questions and/or issues related to the Liquor Code or the PLCB’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

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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. 16-240