

October 19, 2016

Vicki Pohl

VIA E-MAIL:

RE: Whiskey Fest

Dear Ms. Pohl:

ISSUE: Your e-mail of October 12, 2016 states that Philadelphia Magazine is hosting its annual Whiskey Fest in the Food Court and Market Street Plaza first floor areas, at 801 Market, managed exclusively by Garces Events. You seek confirmation regarding the necessity of delicensing the venue for this to take place, “without complications for possible non-compliance with L & I,” which is assumed to refer to the Department of Licenses and Inspections of the City of Philadelphia.

Records of the Pennsylvania Liquor Control Board indicate that Garces Catering 300, LLC (“Garces”) holds Performing Arts Facility Liquor License No. PAF-84 (LID 66695) for use by it at premises located at 300 South Broad Street, Philadelphia, Pennsylvania.

OPINION: The Whiskey Fest to which you refer is an event in which the PLCB participates and/or sponsors pursuant to 47 P.S. § 2-215(e). As such, no further authority or action, including de-licensing, is required on the part of Garces or any other entity for the lawful sale of alcohol to occur. In addition, as noted in your e-mail, an Off-Premises Catering Permit has been issued to Garces for use if necessary.

Note that the PLCB has no authority regarding issues related to the Department of Licenses and Inspections of the City of Philadelphia.

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

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POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Very truly yours,

A handwritten signature in cursive script that reads "Rodrigo J. Diaz".

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
Melissa Kutz, Chief, Retail Planning & Promotions

LCB Advisory Opinion No. 16-416