

April 8, 1999

Richard F. Start, Esquire
DAMIAN & AMATO
Three Gateway Center
15th Floor North Wing
Pittsburgh, PA 15222

**RE: Penn Beverage, Inc.
License No. ID-813**

Dear Mr. Start:

ISSUE: This is in response to your March 22, 1999 letter in which you modify your request of February 10, 1999 for your client to be permitted to provide beer/draft wagons to licensees of the Board. You now ask whether your client may lease the beer/draft wagons to its customers.

OPINION: In addition to the information provided to you with our March 9, 1999 letter advising you that importing distributors are prohibited from giving anything of value to equip other Board licensees. Please be advised that Advisory Notice No. 9 (Third Revision) provides that, while importing distributors may engage in the rental of tapping devices to the general public and holders of special occasion permits, they are specifically prohibited from engaging in the rental of those items to other licensees of the Board.

Enclosed is a copy of Advisory Notice No. 9 (Third Revision) for your review.

Please do not hesitate to contact this office if you have any further questions.

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,

FAITH S. DIEHL
CHIEF COUNSEL

cc: Bureau of Liquor Control Enforcement,
Pennsylvania State Police
Robert P. Kaskiel

Refer to: (717) 783-9454
Fax: (717) 787-8820

Advisory Opinion No. 99-120