

Limited Winery Information Booklet



pennsylvania
LIQUOR CONTROL BOARD



Applications, forms and changes are continually updated on our website at www.lcb.state.pa.us

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The information contained in this booklet has been prepared for the purpose of providing the Limited Winery licensee or prospective licensee with a general description of the requirements for the operation of a licensed limited winery. It is not intended as a substitute for the official acts of the Pennsylvania Legislature relating to the manufacture of and transactions in liquor, alcohol and malt or brewed beverages, or the regulations promulgated by the Pennsylvania Liquor Control Board that are contained in Title 40 of the Pennsylvania Code.

FUNCTIONS

The Pennsylvania Liquor Control Board (PLCB) Bureau of Licensing is responsible for the granting and issuance of all licenses and permits authorized to be issued by the Pennsylvania Liquor Code (Liquor Code).

The PLCB Office of Chief Counsel is responsible for issuance of legal opinions regarding any subject matter of the Liquor Code or the PLCB's regulations.

The Pennsylvania State Police, Bureau of Liquor Control Enforcement, is responsible for enforcing the Liquor Code and any of the PLCB's regulations.

The Office of the Administrative Law Judge, an autonomous office of the PLCB, is responsible for conducting and presiding at all citation and other enforcement hearings permitted under the Liquor Code for violations of the Liquor Code and the PLCB's regulations by licensees.

LIMITED WINERY LICENSES

Limited winery licenses can be held by any in state or out-of-state winery that produces less than 200,000 gallons per year of alcoholic ciders, wines and wine coolers. Licensees may sell their products to individuals at retail on the licensed premises, to the PLCB and to Brewery (G), Hotel (H), Restaurant (R), Club (C), and Public Service Liquor (P) licensees. Limited wineries may provide visitors on the licensed premises with tastings of wine at no charge.

Qualifications for a Limited Winery (LK) License

An individual must be a citizen of the United States of America or a resident alien.

If a company or incorporated association of individuals seeks a license, each and every one must be a citizen of the U.S. or resident alien.

In the case of a corporation, each and every stockholder must be a citizen of the U.S. or a resident alien.

Limited Winery Licenses in the Pennsylvania Liquor Code

Limited Winery licenses are described in Section 505.2 of the Pennsylvania Liquor Code. The section is copied verbatim below, with the lettering and numbering of paragraphs intact for ease of reference.

47 P.S. § 5-505.2

(a) In the interest of promoting tourism and recreational development in Pennsylvania, holders of a limited winery license may:

- (1) Produce alcoholic ciders, wines and wine coolers, subject to the exceptions provided under this section, only from an agricultural commodity grown in Pennsylvania.
- (2) Sell alcoholic cider, wine and wine coolers produced by the limited winery or purchased in bulk in bond from another Pennsylvania limited winery on the licensed premises, under such conditions and regulations as the board may enforce, to the board, to individuals and to brewery, hotel, restaurant, club and public service liquor licensees, and to Pennsylvania winery licensees: Provided, That a limited winery shall not, in any calendar year, purchase alcoholic cider or wine produced by other limited wineries in an amount in excess of fifty per centum of the alcoholic cider or wine produced by the purchasing limited winery in the preceding calendar year. In addition, the

holder of a limited winery license may purchase wine in bottles from another Pennsylvania limited winery if these wines undergo a second fermentation process. Such wine may be sold in bottles bearing the purchasing limited winery's label or the producing limited winery's label. Such wines, if sold by the board, may be sold by the producing limited winery to the purchasing limited winery at a price lower than the price charged by the board.

- (3) Separately or in conjunction with other limited wineries, sell alcoholic cider, wine and wine coolers produced by the limited winery on no more than five (5) board-approved locations other than the licensed premises, with no bottling or production requirement at those additional board-approved locations and under such conditions and regulations as the board may enforce, to the board, to individuals and to brewery, hotel, restaurant, club and public service liquor licensees. If two or more limited wineries apply to operate an additional board-approved location in conjunction with each other, the wineries need only have one board-approved manager for the location, need only pay one application fee and need not designate specific or distinct areas for each winery's licensed area. Each limited winery must file an application for such an additional board-approved location, and such location shall count as one of the five permitted for each limited winery. Each limited winery is responsible for keeping only its own complete records. A limited winery may be cited for a violation of the recordkeeping requirements of sections 512 and 5131 pertaining to its own records only.

(4) At the discretion of the board, obtain a special permit to participate in alcoholic cider, wine and food expositions off the licensed premises. A special permit shall be issued upon proper application and payment of a fee of thirty dollars (\$30) per day for each day of permitted use, not to exceed thirty (30) consecutive days. The total number of days for all the special permits may not exceed one hundred (100) days in any calendar year. A special permit shall entitle the holder to engage in the sale by the glass, by the bottle or in case lots of alcoholic cider or wine produced by the permittee under the authority of a limited winery license. Holders of special permits may provide tasting samples of wines in individual portions not to exceed one fluid ounce. Samples at alcoholic cider, wine and food expositions may be sold or offered free of charge. Except as provided herein, limited wineries utilizing special permits shall be governed by all applicable provisions of this act as well as by all applicable regulations or conditions adopted by the board.

For the purposes of this clause, “alcoholic cider, wine and food expositions” are defined as affairs held indoors or outdoors with the intent of promoting Pennsylvania products by educating those in attendance of the availability, nature and quality of Pennsylvania-produced alcoholic ciders and wines in conjunction with suitable food displays, demonstrations and sales. Alcoholic cider, wine and food expositions may also include activities other than alcoholic cider, wine and food displays, including arts and crafts, musical activities, cultural exhibits, agricultural exhibits and farmers markets.

- (4.1) At the discretion of the board, obtain a farmers market permit. The permit shall entitle the holder to participate in more than one farmers market at any given time and an unlimited number throughout the year and sell alcoholic cider or wine produced under the authority of the underlying limited winery license by the bottle or in case lots. Samples not to exceed one fluid ounce per brand of wine may be offered free of charge. A farmers market permit shall be issued upon proper application and payment of an annual fee of two hundred fifty dollars (\$250). A permit holder may participate in more than one farmers market at any given time. Sales by permit holders shall take place during the standard hours of operation of the farmers market. Written notice of the date, times and location the permit is to be used shall be provided by the permit holder to the enforcement bureau at least two (2) weeks prior to the event. Except as provided in this subsection, limited wineries utilizing farmers market permits shall be governed by all applicable provisions of this act as well as by all applicable regulations adopted by the board.
- (5) Apply for and hold a hotel liquor license, a restaurant liquor license or a malt and brewed beverages retail license to sell for consumption at the restaurant or limited winery on the licensed winery premises, liquor, wine and malt or brewed beverages regardless of the place of manufacture under the same conditions and regulations as any other hotel liquor license, restaurant liquor license or malt and brewed beverages retail license.

- (6) (i) Secure a permit from the board to allow the holder of a limited winery license to use up to twenty-five per centum permitted fruit, not wine, in the current year's production. Each permit is valid only for the calendar year in which it is issued.
- (ii) The fee for a permit to import and use permitted fruit shall be in an amount to be determined by the board.
- (iii) The purpose of this section is to increase the productivity of limited wineries while at the same time protecting the integrity and unique characteristics of wine produced from fruit primarily grown in this Commonwealth. Prevailing climatic conditions have a significant impact on the character of the fruit. Accordingly, "permitted fruit" shall mean fruit grown or juice derived from fruit grown within three hundred fifty (350) miles of the winery.
- (iv) The department is authorized to promulgate regulations requiring the filing of periodic reports by limited wineries to ensure compliance with the provisions of this section.
- (6.1) Sell food for consumption on or off the licensed premises and at the limited winery's additional board-approved locations and sell by the glass, at the licensed premises and at the limited winery's additional board-approved locations, only wine and alcoholic ciders that may otherwise be sold by the bottle.
- (6.2) Sell wine- or liquor-scented candles acquired or produced by the limited winery.

- (6.3) Sell alcoholic cider, wine and wine coolers only between the hours of nine o'clock antemeridian and eleven o'clock postmeridian. A limited winery also may request approval from the board to extend sales hours in individual locations at other times during the year or beyond the limits set forth in this clause. The request shall be made in writing to the board's Office of the Chief Counsel and shall detail the exact locations where sales hours are proposed to be extended, the proposed hours and dates of extended operation and the reason for the proposed extended hours.
- (6.4) Store alcoholic cider, wine and wine coolers produced by the limited winery at no more than two (2) board-approved locations other than the licensed premises and those premises referenced in clause (3) pertaining to the five (5) board-approved locations for the sale of wine, with no bottling or production requirement at those additional locations and under such conditions and regulations as the board may enforce. If two (2) or more businesses will operate out of the same storage facility, the limited winery must designate specific and distinct areas for its storage. The limited winery's designated storage area must be secured and no one other than the licensee and his employees may be allowed access to the storage area. No board-approved manager will be necessary for the storage facility. The limited winery must fill out an application for such an additional board-approved storage location, and such location shall count as one of the two permitted for each limited winery. The limited winery is responsible for keeping

only its own complete records. A limited winery may be cited for a violation of the recordkeeping requirements of sections 512 and 513 pertaining to its own records only.

- (b) The total production of alcoholic ciders, wine and wine coolers by a limited winery may not exceed two hundred thousand (200,000) gallons per year.
- (c) As used in this section: “Agricultural commodity” shall include any of the following: agricultural, apicultural, horticultural, silvicultural and viticultural commodities.

“Farmers market” shall include any building, structure or other place:

- (1) owned, leased or otherwise in the possession of a person, municipal corporation or public or private organization;
- (2) used or intended to be used by two or more farmers or an association of farmers, who are certified by the Department of Agriculture of the Commonwealth to participate in the Farmers’ Market Nutrition Program subject to 7 CFR Pt. 249 (relating to Senior Farmers’ Market Nutrition Program (SFMNP)), for the purpose of selling agricultural commodities produced in this Commonwealth directly to consumers;
- (3) which is physically located within this Commonwealth; and
- (4) which is not open for business more than twelve hours each day.

PRIOR APPROVAL

The Liquor Code provides for the filing and processing of applications for new licenses, for the transfer or for the extension of such licenses to other premises or parts of the premises not then licensed prior to the alteration or construction of the premises proposed to be licensed.

Applications for prior approval should be indicated by marking the appropriate space on the application. Floor plans showing the establishment, including the placement of equipment as it will be after the alteration or construction of the premises is completed, must be submitted with the application. The floor plans are to depict room dimensions and are to be on 8½”x11” paper. A separate floor plan is required for each floor used in conjunction with the licensed business.

Applications for prior approval also require the submission of a site plan. The site plan is to depict the location of the proposed licensed premises in relation to identifiable property lines or easily identifiable landmarks or reference points with measurements to the property lines, landmarks or reference points. Site plans shall be reproduced on 8½”x11” paper format and be clear and legible.

If the application is approved by the PLCB, the premises should be completed within six months from the date of approval. The license shall be held by the PLCB until the premises are completed according to the plans submitted and all statutory requirements are met. No such license shall be transferable while it is being held by the PLCB unless full compliance is impossible for reasons beyond the licensee’s control.

Sales by Limited Wineries

A Limited Winery licensee may sell wine and

wine coolers produced on the licensed premises in accordance with the Liquor Code.

In addition, a Limited Winery licensee may sell food for consumption on or off the licensed premises and at the Board-approved additional locations. A Limited Winery licensee may also sell, by the glass, any wine or alcoholic cider that it may sell by the bottle. PLCB regulations allow a Limited Winery licensee to sell the following items on the licensed premises:

- Pennsylvania-grown fruits and products produced from the fruits, including juice, juice concentrates, jellies, jams and preserves.
- Pennsylvania-grown mushrooms
- Home winemaking equipment and supplies
- Wine serving and storage accessories, including cork removers, wine glasses and decanters, wine racks, serving baskets and buckets, and bottle stoppers
- Publications dealing with wine and winemaking
- Cheese, crackers, breads, nuts and preserved meats for consumption off the premises
- Gift packages of any combination of items listed above
- Promotional items advertising the Limited Winery licensee, such as T-shirts, glassware, caps, etc.

Sales on the licensed premises of items not listed are subject to PLCB approval.

Mail, telephone or Internet orders may be accepted. Delivery of product shall be in vehicles properly registered by the Limited Winery licensee or through licensed transporters.

It is the licensee's responsibility not to sell or deliver to a minor or visibly intoxicated persons.

While there may be no sales on credit, a Limited Winery licensee may accept:

From a licensee or retail customer – Checks drawn on his/her account

From retail customers – Credit cards issued by banking or financial institutions subject to state or federal regulations.

Hours of Operation

The PLCB has authorized all Limited Winery licensees to sell alcoholic cider, wine and wine coolers from 7:00 A.M. until 2:00 A.M. on the following day from Monday through Saturday.

Limited Winery licensees may be open on Sundays from 11:00 A.M. until 2:00 A.M. Monday. If food is served, the licensee may open at 9:00 A.M. on Sundays.

License Period

Every year, a Limited Winery licensee is required to either renew or validate the license online via a link at www.lcb.state.pa.us. The license period runs from Jan. 1 to Dec. 31 each year.

There is a \$385 license renewal fee and \$30 filing fee. Renewal and validation fees are not pro-rated.

Other Licenses

Limited Winery licensees can apply for and hold a Hotel Liquor (H) license, a Restaurant Liquor (R) license or a malt and brewed beverage retail (E) license at its primary location to sell liquor, wine and malt or brewed beverages, regardless of the place of their manufacture, under the same conditions and regulations as any other H, R or E retail license.

Managers

The licensed premises and Board-approved locations must have separate managers.

Additional Board-approved locations must be in control of a Board-approved manager (as required by Act 221 of 2002).

BOARD-APPROVED LOCATIONS

A “Board-approved location” is a location not physically attached to the licensed Limited Winery premises. It may be located in another municipality and is not required to have bottling or production requirements. Some examples of generally acceptable locations are a room within a building with its own entrance, an area within a farmer’s market or a kiosk in a shopping mall. Any location must receive approval from the Board before a Limited Winery licensee may sell there.

An investigation by the PLCB is required to determine that sales will be made in the licensed area, that the applicant/ licensee has control of the area and that sales are made.

Portions of an additional location shall be contiguous. The area shall be enclosed by soundly constructed walls and be accessible to the general public from a public thoroughfare with controlled points of access/ egress.

Applications for additional Board-approved locations may be submitted on a prior approval basis. If plans are approved, the necessary construction/alterations shall be completed within six months of the approval. Business may not be transacted until the premises have been re-inspected and the PLCB has approved the completed construction/alterations.

Five Board-approved locations are permitted per Limited Winery license.

Two or more Limited Winery licensees can operate a shared Board-approved location. Only one manager of this location is needed. Only one application fee is required for that manager. Also, designated specific or distinct areas for each Limited Winery licensee's licensed area are not required; however, each Limited Winery must file an application for the additional Board-approved location. A shared Board-approved location shall count as one location for each of them.

Limited Winery licensees must notify the PLCB immediately when a Board-approved location is closed.

To apply for a Board-approved location

Required forms:

- PLCB-1685 (Application for Board-Approved Location)
- PLCB-1773 (Social Security Appendix)
- PLCB-2018 (Request for Criminal History Record Check)

Required fees:

\$220 - license fee for each location

\$10 - fee for a criminal history check for each manager

\$75 - annual permit fee for license renewal or validation for each location

SALES INVOICES AND REPORTS

A holder of a Limited Winery license shall maintain and keep on the licensed premises daily permanent records. The records shall include complete details concerning the source of fruits used in the production

of wines. Electronic media recordkeeping, maintained and based upon generally accepted accounting principles, shall be permitted in lieu of hard-copy records. Entries shall be verifiable by supporting original documents.

A sales invoice shall be prepared at the licensed premises for each sale. The sales invoice shall:

Be imprinted or affixed with the name and address of the Limited Winery licensee.

Show the name and address of the recipient of the merchandise, date of sale, number of units, size and type of package, brand name, selling price of the wine and the net cost to the consumer. The name and address of private individuals are not required on sale invoices covering quantities of 16 liters or less. The transactions may be entered individually on a counter sheet showing the information required on sales invoice, other than name and address of the purchaser. The counter sheet shall be totaled daily and totals entered into the sale register.

Show commonwealth sales tax, where applicable, as a separate entry.

The sales invoice may include other items permitted for sale if the sale of wines is listed separately.

Invoice copies shall be retained for two years.

An invoice shall be prepared for any amount of wine shipped to customers by Transporter for Hire (Class C) licensed carriers (that is, licensees who possess an IU license). These invoices shall be prepared only for persons 21 years of age or older, and Limited Winery licensees shall request the signature of the recipient who is 21 years of age or older from the

transporter making the delivery. Copies of delivery acknowledgments should be maintained on the Limited Winery licensee's premises for two years.

Monthly Reports

A licensed winery shall electronically file monthly reports with the PA Department of Agriculture on or before the 15th day of the month immediately preceding the month for which the reports are prepared.

To access the electronic form, visit www.lcb.state.pa.us. If this is your first visit, under "Licensees," select "Limited Wineries," then "Monthly Report Info." This will provide instructions from the Department of Agriculture on how to file the report.

If you are familiar with the filing procedure, under "Licensees," select "Limited Wineries," then "Filing Monthly Report" to log in and proceed with filing the report.

SPECIAL PERMITS

Limited Winery Exposition Permits

A Limited Winery Exposition Permit is issued to a Limited Winery licensee to participate in a alcoholic cider, wine and food expositions off the licensed premises.

An alcoholic cider, wine and food exposition is an affair held indoors or outdoors with the intent of educating those in attendance of the availability, nature and quality of Pennsylvania produced alcoholic ciders and wines in conjunction with suitable food displays, demonstrations and sales. The expositions may also include activities, including arts and crafts, musical activities, cultural exhibits and agricultural exhibits.

The event may be held indoors or outdoors, on licensed or unlicensed premises.

If the event is held on a retail licensed premises, the area must be marked with visible signs or temporary barriers clearly defining the area covered by the Limited Winery Exposition Permit.

The event must not exceed 30 consecutive days. The total number of days for all permits may not exceed 100 in a calendar year.

A permittee may offer alcoholic cider or wine by the glass, bottle(s), or case lots. It can offer, for free or for consideration, tastings not to exceed 1 fluid ounce.

NOTE: Permits are not transferable and cannot be renewed. No rain dates may be considered.

To Apply for a Limited Winery Exposition Permit

- PLCB-2318 (Application for Limited Winery Exposition Permit) must be filed.
- Fee: \$30 for each day of the permit. For example, the fee for a five-day permit would be \$150.
- Site plans on an 8½”x11” paper depicting the location of the Limited Winery licensee relative to other vendors must be filed.

Applications must be filed at least 30 days in advance of the scheduled event.

Farmers Market Permits

If the Limited Winery licensee wishes to participate in farmers markets, a Farmers Market Permit must be obtained. This permit entitles the holder to participate in more than one farmers market at any given time and an unlimited number throughout the year. A permittee can sell alcoholic cider or wine produced by the Limited Winery licensee. Sales can be by the bottle

or in case lots. Samples not exceeding 1 fluid ounce per brand of wine may be offered free of charge. Sales by permit holders shall take place during the standard hours of operation of the farmers market.

A farmers market is defined as any building, structure or other place that is:

- Owned, leased, or otherwise in the possession of a person, municipality, or organization;
- Located in Pennsylvania;
- Not open for business for more than 12 hours a day; and
- Used or intended to be used by 2 or more farmers who are certified by the PA Dept. of Agriculture to participate in the Farmers Market Nutrition Program for the purpose of selling, to consumers, agricultural commodities produced in Pennsylvania.

Written notice of the date, times and location the permit is to be used must be provided by the permit holder to the Pennsylvania State Police, Bureau of Liquor Control Enforcement, at least two weeks prior to the event.

To Apply for a Farmers Market Permit

- PLCB-2404 (Applications for Limited Winery Farmers Market Permit) must be filed.
- Fee: \$250

Investigations

Limited Winery licensees shall provide PLCB officials conducting licensing investigations with:

Leases

Management agreements

Employee agreements

Commission agreements

Sources of funds (if any)

To Apply for a New Limited Winery License

Complete and submit:

- PLCB-1350 (Application for Limited Winery)
- PLCB-1773 (Social Security Appendix)
- PLCB-2018 (Criminal History Record Check)
- PLCB-1685 (Application for Additional Board-Approved Location) (if applicable)
- Individual & premises photographs
- Site plan(s) on an 8½”x11” paper
- Fee: \$700
- License fee (pro-rated quarterly based on when the application is filed):
 - January through March – \$385
 - April through June – \$288.75
 - July through September – \$192.50
 - October through December – \$ 96.25
- Criminal history check: \$10 for each manager

To Renew or Validate

Limited Winery licenses are renewed online via a link at www.lcb.state.pa.us.

The license period runs from Jan. 1 to Dec. 31 each year. Every year, a Limited Winery licensee is required to either renew or validate the license. There is a \$385 license fee and \$30 filing fee. Renewal and validation fees are not pro-rated.

To Transfer a Limited Winery License

Complete and submit:

- PLCB-21 (Application for Transfer of license)
- PLCB-1350 (Application for Limited Winery)
- PLCB-1773 (Social Security Appendix)
- PLCB-2018 (Criminal History Record Check)
- PLCB-1685 (Application for Additional Board-Approved Location) (if applicable)
- Fees required to transfer a license are:
 - Place to Place transfer – \$550

Person to Person transfer – \$650

Person and Place (double) transfer – \$700

- Criminal history check: \$10 for each manager

Fees paid in conjunction with transfers are retained by the commonwealth whether the application is approved, refused or cancelled.

To Apply for an Additional Board-Approved Location

Complete and submit:

- PLCB-1685 (Application for Additional Board-Approved Location)
- PLCB-1773 (Social Security Appendix) for the location's manager
- PLCB-2018 (Criminal History Record Check) for the location's manager
- Individual & location photographs
- Fee: \$220 per location
- Criminal history check: \$10 for each manager

To Apply for a Limited Winery Exposition Permit

Complete and submit:

- PLCB-2318 (Limited Winery Exposition Permit)
- Site plan(s) on an 8½"x11" paper
- Fee: \$30 for each day

To Apply for a Farmers Market Permit

Complete and submit:

- PLCB-2404 (Application for Limited Winery Farmers Market Permit)
- Fee: \$250

To Extend the Licensed Premises or to Add Additional Storage

Complete and submit:

- PLCB-49 (Application for Extension of Retail License to Cover Additional Premises)

- Site plan(s) on an 8½”x11” paper
- Fee: \$220

Forms can be downloaded from the PLCB website, www.lcb.state.pa.us. You may call the Licensing Information Center at 717.783.8250 and ask that form(s) be mailed to you.

FREQUENTLY ASKED QUESTIONS

Q. Can I make wine in my house, basement or kitchen and sell it?

A. Yes, if you meet the description of a Limited Winery licensee and are licensed to do so.

Q. If a Limited Winery licensee moves the licensed premises to another building on the property, must they file a new application?

A. No, the licensee can apply to transfer the license.

Q. Can an out-of-state winery be a Pennsylvania Limited Winery licensee? Can it participate in wine festivals in Pennsylvania?

A. Yes and yes.

Q. Would an out-of-state licensed retailer be able to become a shareholder in my winery?

A. There is nothing in Section 411 that would prohibit a licensed retailer from out of state who is not licensed by Pennsylvania from becoming a shareholder. However, you may wish to contact the U.S. Alcohol and Tobacco, Tax and Trade Bureau in regard to any tied-house restrictions.

Q. Can the Limited Winery licensee’s vehicles be used to pick up items from outside Pennsylvania?

A. You must check with the other states you are transporting through. Each state has its own requirements.

Q. Can a Limited Winery licensee employ

individuals to solicit orders away from the licensed premises for wine it produced or to promote the sale of wines off the premises?

- A. Agents may advertise and promote the sale of merchandise by “missionary work,” but only of the brands sold by the Limited Winery licensee by whom the agents are employed. They may solicit orders from licensees and make deliveries in properly registered vehicles.

Q. Can out-of-state Limited Winery licensees apply for a Direct Wine Shipper (DWS) license?

- A. Yes, but a DWS license only allows the seller to ship wine to a PLCB store, where the customer will have to pick it up after paying applicable fees and taxes. Pennsylvania-licensed Limited Wineries are permitted, under the Liquor Code and the Board’s Regulations, to ship their product directly to a Pennsylvania residence.

Q. Can a Limited Winery licensee donate wine to charities and for similar events?

- A. If the charity has obtained a special occasion permit (“SOP”) for the event, a Limited Winery licensee may donate wine for consumption or sale at that event.

If the charity is holding its event at the location of a retail licensee, such as a hotel or restaurant, a donation of wine to the charity could be considered to indirectly benefit the retail licensee. PLCB Regulations Section 13.51 provides that no licensee or group of licensees, their servants, agents or employees may directly or indirectly, in person, individually or through a trade organization contribute to or accept from another licensee or group of licensees of a different class, their servants, agents or employees or a trade organization of licensees of a different class, anything of value by means of advertisements,

contributions, purchase, sale of tickets, donations or by any device for any purpose. Therefore, a limited winery would be prohibited from donating wine to a retail licensee and the retail licensee would be prohibited from accepting a donation of wine from a limited winery.

With regard to wine donations for door prizes or raffles, such activities may constitute unlawful gambling. You may wish to contact your local police, the State Police, or your local district attorney's office to determine if the activity is legal.

Finally, certain entities may apply for a wine auction permit. If the charity holds a wine auction permit, you may donate your wine to be auctioned off.

Q. Can Limited Winery licensees apply for a Grain Alcohol (GA) permit?

A. Yes, they can obtain such a permit for cleaning equipment, but they cannot obtain a wholesale purchase card.

Q. What is a properly registered vehicle?

A. Although vehicles used in the operation of the business do not have to be registered with the PLCB, Brewery (G), Distillery (A), Winery (K), Limited Winery (LK), Importer (I) and Sacramental Wine (S) licensees must have the name, address and PLCB license number painted or affixed on each side of the vehicle in letters not less than two inches in height.

If the vehicles are leased, a lease must exist between the vehicle owner and the licensee, and the vehicle owner may not have any proprietary interest in any business licensed by the PLCB.

If you have questions, call the Licensing Information Center at 717.783.8250. Select option #7.

