

April 25, 2012

ADVISORY NOTICE NO. 9 (5th REVISION)

SUBJECT: Sale or Rental of Items Other than Malt or Brewed Beverages

TO: All Malt Beverage Distributors and Importing Distributors

NOTE: This notice is issued to replace in its entirety previous PLCB Advisory Notice No. 9 dated August 18, 1999.

The Pennsylvania Liquor Control Board hereby establishes guidelines relating to the provisions of the Liquor Code (47 P.S. §§ 4-443(d), 4-492(12), 4-492(14), 4-493(17)) and Section 9.93 of the Board Regulations (40 Pa. Code §9.93) stating that **no distributor or importing distributor shall engage in any other business for the sale, rental, or use of any products except as herein set forth:**

A. DISTRIBUTORS AND IMPORTING DISTRIBUTORS MAY ENGAGE IN THE SALE OF THE FOLLOWING:

1. **To the general public and to other licensees of the Board:**
 - a. Cups and mugs made of material other than glass.
 - b. Snack foods consisting of candy, gum, nuts, popcorn, chips, dips, pretzels, crackers, hot sauces, barbeque sauces, cheese, pickled products (eggs, pigs feet, red beets, and pickles), and dried meat products (jerky). Heating and roasting devices used in conjunction with snack items are permitted on the licensed premises.
 - c. Tobacco products consisting of cigarettes by the pack or carton, cigars, cigar carrying cases, cigar lighters, cigar cutters, humidors, pipe tobacco, pipes, pipe tobacco pouches, chewing tobacco, cigarette-making supplies, such as papers, tobacco tubes, and machines to fill the tubes, tobacco grinders, disposable and refillable lighters, and matches. Tobacco products may not be sold in wholesale lots for resale.
 - d. Pennsylvania lottery tickets.
 - e. Ice and dry ice. Vending machines for ice are permitted on the licensed premises.
 - f. Non-alcoholic beverages consisting of non-alcoholic wine, non-alcoholic malt beverages, soft drinks, juices, water, milk, non-alcoholic drink mixes, carbonic and non-carbonic mixes, including iced tea (prepared or mix

form), coffee and tea (prepared or unprepared forms). Non-alcoholic malt beverages may not be sold to any person under 21 years of age.

- g. Newspapers.
- h. Greeting cards.
- i. Rock salt or other similar ice melting or anti-slip products.
- j. Carbon dioxide tank refills.

2. To the general public only:

- a. Serving and dispensing items consisting of cups, cup lids, glasses and beer mugs of any material, and disposable plates, utensils, napkins and tablecloths; foam and plastic beer coolers; foam and plastic can holders; home bar supplies; and office size soft drink/water dispensers.
- b. Promotional items bearing manufacturer (beverage alcohol or other product manufacturer), or distributor or importing distributor logos consisting of: wearing apparel such as shirts, caps, hats and jackets; sporting equipment such as balls, gloves, bats, inner tubes, rafts and sports bags; and serving and dispensing equipment such as cooler chests, beer mugs, beer pitchers and picnic rods and pumps. Promotional items having a wholesale value of more than \$1,000.00 should be submitted to the Board for approval. Requests for such approval should be directed to the Office of Chief Counsel, Pennsylvania Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124.
- c. Signs and mirrors of any value containing logos intended for home bar use.
- d. Tickets to beer-related events, such as brew fest, food pairings, and other similar events.
- e. Gift certificates of any denomination redeemable at their business and gift certificates to other businesses, not including other Board licensees.
- f. Home brewing equipment, ingredients, or other supplies necessary for the unlicensed manufacture of beer and wine.
- g. Books, magazines, or other publications related to beer.
- h. All equipment and supplies needed to dispense draft beer.
- i. Keg connectors and keg handling gloves.
- j. Can and bottle openers.
- k. Over-the-counter pain relief medications, such as aspirin, Tylenol, antacid products, or other similar items.
- l. Windshield wiper fluid and glass cleaner.
- m. Drink garnishes, such as limes, lemons, oranges, olives, and other similar items.
- n. Grilling equipment and supplies, such as charcoal, propane, lighter fluid, and utensils.
- o. Party supplies, such as candles, balloons, hats, noise-makers, banners, ribbons, and trash and recycling bags.
- p. Playing cards.

- q. Live Christmas trees.
- r. Fishing tackle and live bait.
- s. Firewood and Duraflame logs.
- t. Locally grown sweet corn.
- u. Pre-packaged ice cream novelties, such as bars and sandwiches.
- v. Municipal-approved trash bags.
- w. Frozen seafood/steamed crabs.
- x. Bread/rolls.
- y. Hot dogs.
- z. Frozen pizza.
- aa. Beer salt.
- bb. Empty beer cans.
- cc. Nascaar-related items.

3. To other distributors and importing distributors for resale to the general public only:

- a. Importing distributors may sell the items listed in 2(a) through 2(d) to other importing distributors and distributors for resale to the general public only and not for use in the operation of a licensed business.

B. DISTRIBUTORS AND IMPORTING DISTRIBUTORS MAY ENGAGE IN THE RENTAL OF THE FOLLOWING:

1. To the general public and holders of Special Occasion Permits:

- a. Coil boxes.
- b. Compressors.
- c. Cooler chests, picnic chests.
- d. Draft beer equipment.
- e. Ice picks and ice buckets.
- f. Picnic rods and pumps.
- g. Tapping devices (including refrigerated trucks and trailers).
- h. Compressed gas tanks for use in draft beer systems.
- i. Office size soft drink/water dispensers.
- j. Movies.
- k. Tents, tables, and chairs.
- l. Fishing equipment.

2. To other licensees of the Board:

- a. Compressed gas tanks for use in draft beer systems
- b. Office size soft drink/water dispensers

C. DISTRIBUTORS AND IMPORTING DISTRIBUTORS WHO SELL KEGS THAT REQUIRE SPECIAL TAPPING DEVICES WHICH ARE NOT AVAILABLE FROM

THE USUAL COMMERCIAL SOURCES ARE AUTHORIZED TO RENT OR SELL SUCH DEVICES WITH THE SALE OF THE KEGS.

D. DISTRIBUTORS AND IMPORTING DISTRIBUTORS SHALL NOT SELL, RENT, OR OTHERWISE MAKE AVAILABLE EQUIPMENT SUCH AS THE FOLLOWING ITEMS TO OTHER LICENSEES OF THE BOARD:

- a. Coil boxes.
- b. Compressors.
- c. Cooler chests, picnic chests.
- d. Draft beer equipment.
- e. Ice picks or ice buckets.
- f. Picnic rods and pumps.
- g. Tapping devices (including refrigerated trucks and trailers).
- h. Beer trays.
- i. Bowls.
- j. Coasters/napkins.

The provisions of this bulletin are effective immediately and supersede all prior bulletins pertaining thereto. Please govern your operations accordingly.

Distributors and importing distributors must seek approval from the Board for permission to sell/rent items not addressed in this advisory notice by contacting the Board's Office of Chief Counsel at (717) 783-9454.

BY ORDER OF:
THE PENNSYLVANIA LIQUOR CONTROL BOARD



John K. Stark
Secretary to the Board