

UNLAWFUL ACTIVITIES

The following is a list of unlawful activities as they apply to alcoholic beverage licensees. The list was prepared by the Pennsylvania Liquor Control Board (“PLCB”) at the request of, and in cooperation with the Pennsylvania State Police, Bureau of Liquor Control Enforcement (“BLCE”), to provide licensees with guidelines for operation within the law. The term “licensee” refers to the licensee, as well as the licensee’s servants, agents or employees. The term “liquor” refers to all forms of distilled spirits and wine products.

This list does not reflect all possible violations. It is not intended nor may it be used as an official document or to supplant the law. Since the law is subject to periodic amendment and legal rulings, users of this information are advised to remain alert to any such changes.

- 1. ACCEPTANCE OF UNLAWFULLY TRANSSHIPPED MALT OR BREWED BEVERAGES.** It is unlawful for any distributor or importing distributor to accept delivery of any malt or brewed beverages which have been sold or delivered in violation of geographical distribution rights conferred by a manufacturer upon an importing distributor. Any distributor or importing distributor or other licensee who accepts such unlawfully delivered malt or brewed beverages shall be subject to a license suspension of at least thirty (30) days. Distributors and importing distributors are required to sign all territorial schedules of the importing distributors from whom they purchase.
- 2. ADULTERATION.** It is unlawful to adulterate, fortify, contaminate or in any way change the character or purity of liquor or malt or brewed beverages from that as originally marketed by the manufacturer at the place of manufacture except as permitted by the regulations of the Pennsylvania Liquor Control Board (“PLCB”).
- 3. ADVERTISING - INTERIOR SIGNS.** It is unlawful for any retail liquor or retail malt or brewed beverage licensee to display or permit the display in the show window or doorways of the licensed premises, any placard or sign advertising the brands of liquor or malt or brewed beverages if the total display area of any such placard or sign advertising the product(s) exceeds six hundred (600) square inches. Licensees may display signs inside the licensed premises, show windows or doorways, advertising brand names of products sold; provided that the total cost of point-of-sale advertisements of any brand may not exceed a sum of three hundred dollars (\$300.00) at any one time. Public venue licensees are exempt from the cost and size limits on point-of-sale advertising.
- 4. ADVERTISING - UNLAWFUL ADVERTISING.** Prices that are advertised or displayed on the licensed premises must be those that are in effect at the time of advertisement or display and may not contain statements that are false, deceptive, misleading, or disparaging of the products of a competitor, or refer to monetary comparison between brands. Advertisements must clearly identify the entity responsible for the advertisement.

No licensee may distribute or cause to be distributed by mail price lists, circulars or handbills off the licensed premises to the general public to advertise liquor or malt or brewed beverages. Advertisements in newspapers, defined as “a typically daily or weekly publication containing recent news, feature articles, editorials and usually advertising,” are permitted, as is advertising in community newspapers such as The Pennysaver.

Advertisements may not be directed at minors. An advertisement may not be obscene nor inconsistent with the spirit of safety or safe driving programs. In addition, no print advertisement is permitted within three hundred (300) feet of any church, school or public playground. Price advertising in windows is no longer limited to menus and wine lists.

For purposes of this subsection, the term “advertisement” shall mean: any advertising of alcoholic beverages through the medium of radio broadcast, television broadcast, newspapers, periodicals or other publication,

outdoor advertisement, or any other printed, electronic transmissions, such as Internet, or graphic matter, including booklets, flyers or cards, or on the product label or attachment itself.

Until recently, colleges and universities were considered to be subject to the print advertisement ban affecting educational institutions. However, the Third Circuit Court of Appeals has held that particular subsection of the law unconstitutional with regard to alcohol advertising in college-related newspapers. In *Pitt News v. Pappert*, 379F.3d 96 (3rd Cir. 2004), the court (which covers federal appellate cases from Pennsylvania) enjoined the Pennsylvania State Police, Bureau of Liquor Control Enforcement (“Bureau”) from citing Pittsburgh-area licensees who advertised in the *Pitt News*, a publication affiliated with the University of Pittsburgh.

5. **ADVERTISING - STRENGTH OF BEER.** It is unlawful to use the words “full strength”, “extra strength”, “high test”, “high proof”, etc., in any advertisement or label describing a malt or brewed beverage. However, it is permissible to reference alcoholic content by volume on the label of malt or brewed beverages.
6. **ADVERTISING - WITHOUT SUFFICIENT QUANTITY.** It is unlawful to advertise liquor or malt or brewed beverages by trade name, unless there is a sufficient quantity on hand and for sale of that particular liquor or malt or brewed beverage to meet normal requirements.
7. **BEER SPIGOT - IDENTIFICATION.** It is unlawful to furnish or serve any malt or brewed beverages from any faucet, spigot or other dispensing apparatus, unless the trade name or brand of the product served shall appear in full sight of the customer and in legible lettering upon such faucet, spigot or dispensing apparatus.
8. **BONAFIDE HOTEL/RESTAURANT/EATING PLACE.** It is unlawful for any hotel, restaurant, or eating place licensed establishment to remain in operation without continuously complying with the conditions under which it was originally licensed. These licensed operations must be reputable places where food is regularly and customarily prepared and sold, with a permanent seating requirement of at least thirty (30) chairs at tables, including bar seats at the bar. These licensed operations must have a properly validated health certificate issued by the appropriate state agency or local municipality posted in a conspicuous place. Licensees must have a sufficient supply of food and be properly equipped with adequate utensils and facilities for the service of food so as to demonstrate a legitimate food business. Hotels must have a kitchen apart from the dining room(s) and provide guest rooms for sleeping accommodations as originally licensed, except that some hotels with grandfathered status can apply to the PLCB to no longer maintain bedrooms for public accommodation.
9. **BRAND REGISTRATION.** It is unlawful to sell, offer for sale or deliver any brand of malt or brewed beverages unless such brand has been registered by the manufacturer or franchised agent thereof with the PLCB.
10. **CASHING CHECKS.** It is unlawful for any licensee to cash payroll checks or to cash, receive, handle or negotiate in any way Public Assistance, Unemployment Compensation or any other relief checks.
11. **CHANGE OF OFFICERS OR MANAGER.** All licensees except clubs must notify the PLCB of a change in manager, steward, officer, director or stockholder (involving 10% or more of outstanding voting stock) within fifteen (15) days of the change. Clubs must notify the PLCB of a change in manager, steward, officer or director at renewal time. Except for nonprofit clubs, if the change of officer(s)/stockholders(s) results in a change in control of the corporation or club, public notice of such change will be required.
12. **CLEANING BEER/WINE DISPENSING SYSTEMS.** It is unlawful to fail to clean coils, tap rods, connections, etc., used in the dispensing of malt or brewed beverages, at least once every seven (7) days, or coils, taps, connections, siphons, spigots or other parts of wine dispensing systems at least once every thirty (30) days. Records shall be kept on the licensed premises indicating the date of each cleaning, by whom cleaned, and the method used.

Licensees who use the BLM 2000 system and as a result provide a chemical cleaning of their lines once every (8) weeks rather than once every (7) days will not be cited for the use of the system in that matter. Licensees who fail to maintain the appropriate records or licensees whose lines are found to be unsanitary are subject to citation in the same manner as any other licensee.

- 13. CONSUMPTION BY LICENSEES/EMPLOYEES.** It is unlawful for licensees, their employees, agents or servants, to consume alcoholic beverages while tending bar or otherwise serving alcoholic beverages.
- 14. DISCOUNT PRICING PRACTICES - (HAPPY HOURS).** It is unlawful for licensees to engage in discount pricing practices except in accord with the following. Retail licensees may discount the price of alcoholic beverages for a consecutive period of time not to exceed two (2) hours in any business day. Discount pricing is not permitted between 12:00 midnight and the end of legal serving time. Also, licensees engaging in discount pricing practices may not:
- Sell or serve more than one (1) alcoholic beverage drink at any one (1) time to any one (1) person for the price of one (1) drink.
 - Sell or serve an increased volume of one (1) alcoholic beverage drink without a corresponding and proportionate increase in the price.
 - Sell or serve unlimited or indefinite amounts of alcoholic beverages for a set price.
 - Change the discounted price of drinks within the two (2) hour discount pricing period from that originally set as the discounted price.

Licensees may also feature one (1) specific type or brand of alcoholic beverage or drink per day or a portion of the day at a reduced price, so long as such offering remains in compliance with all the above noted restrictions except for the two (2) hour limitation. Discount pricing restrictions do not prohibit the sale or service of an unlimited or indefinite amount of alcoholic beverages for a fixed price for catered events, such as weddings, which have been arranged at least twenty-four (24) hours in advance.

(The holder of a restaurant license, that is also approved to hold a slot machine license or a conditional slot machine license may give liquor and malt or brewed beverages free of charge to any person actively engaged in playing a slot machine.)

- 15. DISPOSAL OF EMPTY LIQUOR CONTAINERS.** It is unlawful for any licensee to fail to break empty liquor or wine bottles within twenty-four (24) hours after their contents have been removed (except for decorative decanters) unless the licensee is a participant in a municipal or voluntary recycling program.
- 16. DISTRIBUTION OF MALT OR BREWED BEVERAGES FROM UNLICENSED LOCATIONS.** It is unlawful for a distributor or importing distributor to distribute malt or brewed beverages from any location other than its licensed premises. Sales may only be made at the licensee's principal office or place of business. Distributors and importing distributors may conduct tastings on their licensed premises.
- 17. EMPLOYMENT FOR IMPROPER PURPOSE.** It is unlawful to employ any person for the purpose of enticing customers, or to encourage them to drink alcoholic beverages, or to make assignments for improper purposes.
- 18. EMPLOYMENT (OTHER) OF A LICENSEE OR EMPLOYEES.** It is unlawful for any restaurant, hotel, club, retail dispenser licensee, or any officer, servant, agent or employee of such licensee, to be at the same time employed, directly or indirectly, by any distributor, importing distributor, manufacturer, importer, or vendor licensee or any out-of-state manufacturer. It is also unlawful for any manufacturer, importer or vendor licensee or any out-of-state manufacturer, or any officer, servant, agent or employee of those entities, to be at the same time employed, directly or indirectly, by any hotel, restaurant or club liquor licensee or any malt or brewed beverage licensee or any distributor or importing distributor licensee. Further, it is unlawful for any distributor or importing distributor, or any officer, servant, agent or employee of such a licensee to be at the same time employed, directly or indirectly, by any other distributor, importing distributor, manufacturer, importer, vendor, out-of-state manufacturer, hotel, restaurant, malt or brewed beverage licensee, or club licensee. However, a manufacturer or limited winery licensee, or any officer, servant, agent or employee of such licensee, may be employed at the same time by a hotel, restaurant or retail dispenser licensee if located at the manufacturer or limited winery premises.
- 19. EMPLOYMENT OF MINORS.** It is unlawful for any distributor or importing distributor to employ minors under the age of eighteen (18). Further, it is unlawful for any hotel, restaurant, club or retail dispenser licensee to employ or permit minors under the age of eighteen (18) to serve alcoholic beverages, or to employ or permit minors under age sixteen (16) to render any service whatever in or about the licensed premises. Minors between sixteen (16) and eighteen (18) years of age may be employed to serve food, clear tables and

perform other such duties on retail licensed premises, but they may not dispense or serve alcoholic beverages. Minors fourteen (14) and fifteen (15) years of age may be employed at ski resorts, golf courses and amusement parks as long as the minors do not perform duties in any rooms or areas in which alcohol is concurrently being dispensed, served or stored in a non-secure manner. Continuing care facilities licensed by the PLCB may also employ minors as young as fourteen (14) years of age for services other than dispensing or serving alcoholic beverages. Notwithstanding any provisions of law to the contrary, a hotel, restaurant or club liquor licensee or any retail dispenser may allow students receiving instruction in a performing art to perform an exhibition if the students are not compensated and are under proper supervision. Written notice of the performance must be provided to the enforcement bureau prior to the performance.

20. **ENTERTAINMENT - PERMITTING.** It is unlawful for any licensee, except clubs, public venues and performing arts facilities, to permit dancing, theatricals, floor shows or motion pictures other than television of any sort in any licensed establishment, unless the licensee has first obtained from the Board an amusement permit. Holders of amusement permits may permit entertainment only during the hours when the sale of alcoholic beverages is permitted and between 11:00 AM on Sunday and 2:00 AM on the following Monday regardless of whether the licensee holds a Sunday sales permit.
21. **FALSIFICATION OF APPLICATION FORMS/DOCUMENTS.** It is unlawful for any licensee to willfully and/or knowingly provide false information on any application form or document to any government agency.
22. **GENERAL PROHIBITION.** A licensee may be cited under the provisions of the Liquor Code for any unlawful activity prohibited by any federal or state law occurring on the licensed premises or which involves the licensee, its servants, agents or employees (e.g: prostitution, illegal drug activities, unlawful gambling, etc.). Sales or purchases of controlled substances or drug paraphernalia by licensees and their servants, agents and employees are also violations of the Liquor Code.
23. **HAWKING AND PEDDLING.** It is unlawful to hawk or peddle any liquor or malt or brewed beverages in this Commonwealth.
24. **ILLEGAL GAMBLING.** It is unlawful for a licensee to maintain gambling devices or to permit illegal gambling on the licensed premises. Authorized Pennsylvania Lottery transactions are permitted, as are properly sanctioned bingo games, or small games of chance as permitted by law. The holder of a slot machine license is permitted to operate slot machines on the licensed premises.
25. **INDUCEMENTS - GIFTS.** It is unlawful for any licensee to give or permit to be given, directly or indirectly, money or anything of substantial value in an effort to induce employees, agents or representatives of customers, or prospective customers to influence their employer or principal to purchase or contract to purchase liquor or malt or brewed beverages from the donor of such gift, or to influence such employers or principals to refrain from dealing or contracting to deal with other licensees.
26. **INDUCEMENTS - THINGS OF VALUE, ALLOWANCES OR REBATES.** It is unlawful for any licensee to offer or give, or to solicit or receive anything of value or any allowance or rebate as a direct inducement to purchase liquor or malt or brewed beverages; except for advertising novelties of an individual wholesale value of fifteen dollars (\$15.00) or less. Manufacturers' coupons that offer monetary rebates on the retail purchase of wines and spirits may be redeemed by the PLCB through its wine and spirits stores, at the time of purchase, or by the manufacturer or its agent with proof of purchase. Manufacturers' coupons that offer monetary rebates on the retail purchase of malt or brewed beverages from a distributor or importing distributor may be redeemed by the manufacturer or its agent with proof of purchase.
27. **INSPECTION OF LICENSED PREMISES.** It is unlawful to refuse any authorized employee of the PLCB or the BLCE the right to inspect completely the licensed premises at any time during which the premises are open for the transaction of business, or when patrons, guests or members are in the portion of the licensed premises wherein alcoholic beverages are sold.
28. **CONNECTION WITH ANOTHER BUSINESS.** There may be no inside passage or communication between a licensed premises and any other business or residence, other than the residence of the licensee, corporate officer or manager, except as approved by the Board.

29. **LICENSEE SELLING EQUIPMENT.** It is unlawful for any licensee, or any officer, director, stockholder, servant, agent or employee of any licensee, to own any interest, directly or indirectly, in or be employed or engaged in any business which involves the manufacture or sale of any equipment, furnishing, or fixtures to any hotel, restaurant, club, retail dispenser, importing distributor or distributor licensee except that licensees may sell glasses (at not less than cost), metal keg connectors and tap knobs to other licensees and to holders of special occasion permits.
30. **LIGHTING CONDITIONS.** It is unlawful for restaurant, hotel, club and retail dispenser licensees to fail to maintain sufficient illumination to insure clear visibility and to permit patrons to read a menu or newsprint with ease within the interior of the licensed premises.
31. **LOUDSPEAKERS.** It is unlawful to use or permit the use of any loudspeaker or similar device inside or outside the licensed premises so as to allow the sound of music or entertainment, or the advertisement thereof, to be heard on the outside of the licensed premises. However, municipalities may file an application with the Board to consider an exemption from this regulation and have a local ordinance apply in its place.
32. **PYROTECHNICS.** It is unlawful to store, handle, use or display any pyrotechnics within a building on the licensed premises, unless the display is performed by a federally-licensed operator and was approved by a municipal fire official.
33. **OFF-PREMISES CONSUMPTION.** It is unlawful for any restaurant, hotel or club licensee to sell any liquor or wine for consumption off the premises where sold. However, it is permissible for licensees other than clubs to sell malt or brewed beverages for off-premises consumption in quantities not exceeding one hundred ninety-two (192) fluid ounces in a single sale to one (1) person. In Philadelphia, restaurants and retail dispenser licensees must first acquire a permit before they can engage in such sale.

It is also permissible, however, for patrons of restaurant or hotel liquor licensees who have purchased, but only partially consumed, a bottle of wine on the premises, to take the unconsumed portion of the bottle with them when they leave, as long as the bottle was purchased in conjunction with a meal which was consumed on the premises, and so long as the bottle is resealed (recorked). For purposes of this law, a "meal" means food prepared on the premises, sufficient to constitute breakfast, lunch or dinner; it does not mean a snack, such as pretzels, popcorn, chips or similar food.

Restaurant, hotel and eating place retail dispenser licensees located in a hotel, golf course, or bowling center may permit persons to carry alcoholic beverages from the licensed area of the premises to the unlicensed areas of the premises, as long as the alcoholic beverages remain on the hotel, golf course or bowling center property. Restaurant, club, and eating place retail dispenser licensees located on a golf course may also sell alcoholic beverages or malt or brewed beverages on the unlicensed portion of the golf course as long as the alcohol remains on the golf course.

34. **PECUNIARY INTEREST.** It is unlawful for any person or persons, other than those approved by the PLCB, to have any pecuniary interest in a licensed business.
35. **POSSESSION OF LIQUOR OR ALCOHOL ON PREMISES LICENSED ONLY FOR SALE OF MALT/BREWED BEVERAGES.** It is unlawful for any distributor, importing distributor or retail dispenser licensee, or their servants, agents or employees, to possess or to permit the storage of any liquor or alcohol on the licensed premises, or any place contiguous or adjacent thereto accessible to the public or used in the operation of the licensed business.
36. **POSSESSION OF LIQUOR UNLAWFULLY ACQUIRED.** It is unlawful to possess any liquor which has not been purchased from a PLCB wine and spirits store or licensed limited winery or which has not been lawfully imported.
37. **PREMISES TO BE VACATED BY PATRONS.** It is unlawful to permit patrons to remain on retail licensed premises later than one-half (1/2) hour after legal beverage servicing time has expired (2:00 AM for all licensees except for clubs which must stop sales by 3:00 AM). Required "legal closing times" when premises must be vacated by patrons are 2:30 AM for all licensees, except clubs, which may remain open

until 3:30 AM. Patrons are prohibited from possessing or removing from the licensed premises any alcoholic beverages after legal closing time. Hotel, retail dispenser and restaurant licensees who possess or who are eligible to possess a Sunday sales permit and who wish to remain open for food service after legal closing times, must obtain an extended hours food permit from the PLCB. Clubs may also apply for a limited extended hours food permit. However, all restaurant, hotel, and eating place retail dispensers can open on Sunday from 7:00 AM until 2:00 AM on Mondays to sell food and non-alcoholic beverages, whether or not they have a Sunday sales permit.

38. **PURCHASE OF LIQUOR.** It is unlawful for any person within this Commonwealth to purchase any alcohol or liquor from a source other than a PLCB wine and spirits store or licensed limited winery, except in accordance with the Liquor Code or PLCB Regulations.
39. **SALES/PURCHASES ON CREDIT.** It is unlawful for any licensee to sell or purchase any liquor or malt or brewed beverages on credit, excepting credit extended by a hotel or club licensee to a bona fide guest or member, or by restaurant, hotel, retail dispenser eating place, public service, importing distributor licensees and distributors, to non-licensed customers holding credit cards issued by banking institutions.
40. **SALES FOR CASH.** It is unlawful for a holder of a distributor or importing distributor license to accept cash for payment of malt or brewed beverages by anyone licensed by the PLCB. Money orders and cashier's cheques are permitted. Prepayment in cash is permitted, however, so long as it is done at the distributors' or importing distributors' premises prior to the delivery. Prepayment in cash to employees of distributors and importing distributors, while they are off the licensed premises, is unlawful.
41. **RECORDS ON LICENSED PREMISES.** It is unlawful to fail to keep on the licensed premises for a period of at least two (2) years complete and truthful records covering the operation of the licensed business or to refuse authorized employees of the PLCB or BLCE access thereto or the opportunity to make requested copies during business hours.
42. **REFILLING LIQUOR BOTTLES.** It is unlawful to refill, wholly or in part, with any liquid or substance whatsoever, any liquor bottle or other liquor container.
43. **SALE/SERVICE/FURNISHING - HOURS LIMITED.** It is unlawful to sell, give, furnish, trade, barter, serve or deliver any alcoholic beverages to any person, except during the hours and days prescribed in the Liquor Code. (Generally for on-premises licenses, except clubs, 7:00 AM to 2:00 AM of the next day, Sunday sales between 11:00 AM and 2:00 AM of following Monday authorized only for holders of Sunday sales permits; club hours - 7:00 AM to 3:00 AM of next day all week including Sunday.). However, all restaurant, hotel, and eating place retail dispenser licensees can open on Sunday from 7:00 AM until 2:00 AM on Mondays to sell food and non-alcoholic beverages, whether or not they have a Sunday sales permit.
44. **SALES TO NON-MEMBERS (CLUBS).** It is unlawful for any club licensee to sell alcoholic beverages to persons who are not bona fide members, except that holders of catering club licenses may conduct sales to non-members in the course of catered functions prearranged at least twenty-four (24) hours in advance.
45. **SALES WITHOUT A LICENSE.** It is unlawful to sell any liquor and/or malt or brewed beverages unless such person holds a valid license or permit issued by the PLCB permitting such sales. Generally, wine cannot be shipped to a Pennsylvania resident from out-of-state or in-state unless the seller holds a limited winery license issued by the PLCB. However, licensed direct shippers are allowed to sell via the Internet and send up to nine (9) liters per month to consumers in Pennsylvania. Such alcohol may not be resold. The wine must be for personal use only and cannot be something already available for sale in the PLCB wine & spirits stores. The wine is shipped to a wine & spirits store selected by the customer, who must then pick it up by showing identification, and paying a fee and all state taxes. PLCB licensees cannot order products by this method.
46. **SERVICE OR SALES TO MINORS, AND VISIBLY INTOXICATED PERSONS.** It is unlawful to sell, furnish or give or to permit the sale, furnishing or giving of any liquor or malt or brewed beverages to minors or visibly intoxicated persons.
NOTE: The Pennsylvania Crimes Code also makes it unlawful to sell or furnish any beverage intended to be sold as non-alcoholic beer, wine or liquor to any person less than twenty-one (21) years of age.

- 47. EVENTS, TOURNAMENTS, CONTESTS, PRIZES.** It is unlawful for any hotel, restaurant, club or retail dispenser eating place licensee to hold, or permit to be held, any event, tournament or contest on the licensed premises or to advertise, offer, award or permit the award, on the licensed premises, of any trophies, prizes, or premiums of any sort, except in strict compliance with conditions as established within Board regulations. Board regulations permit the conduct of events, tournaments and contests on licensed premises under limited circumstances to include: (1) boxing and wrestling events sanctioned by the Pennsylvania State Athletic Commission, (2) bowling tournaments, (3) league competitions, (4) tournaments and contests officially sponsored by and for the benefit of properly registered and qualified charitable organizations, and (5) self-sponsored tournaments, events and contests, with maximum prize values of five hundred dollars (\$500.00) each, not to exceed five thousand dollars (\$5,000.00) in any seven (7)-day period.
- 48. UNDESIRABLE PERSONS OR MINORS FREQUENTING LICENSED PREMISES.** It shall be unlawful for any restaurant, hotel, club or retail dispenser licensee, or its servants, agents or employees, to permit persons of ill repute, prostitutes or minors to frequent the licensed premises or any premises operated in connection therewith, except minors employed by licensees, minors accompanied by parents or guardians, minors attending a “social gathering,” or minors under “proper supervision.” However, the law provides that minors without proper supervision or accompaniment by parent/guardian may be permitted on restaurant or retail dispenser eating place licensed premises if the licensed establishment has combined food and non-alcoholic beverage sales equal to fifty percent (50%) or more of the combined gross sales of food and alcoholic beverages on the conditions that alcoholic beverages may not be served at the table or booth where minors are seated (except when said minors are accompanied by a parent or legal guardian or are under “proper supervision”) and that only table service of alcoholic beverages or take-out service of beer shall be permitted in the room where the minors are located. Minors are also permitted on licensed premises for social gatherings, on the conditions that no alcoholic beverages may be sold, given, furnished to or consumed by any minor, and the area of the gathering must be segregated from the remainder of the licensed premises, or all alcoholic beverages must be removed from the licensed premises or placed under lock and key during the time the gathering takes place. Written notice must be given to the BLCE, at least forty-eight (48) hours in advance of the gathering.

“Proper supervision,” as it relates to minors, means a person twenty-five years of age or older who is directly responsible for the care and conduct of such minor or minors while on the licensed premises and the minor or minors within his or her sight or hearing. In Philadelphia, each proper supervisor can supervise up to five (5) minors; in the rest of the Commonwealth, each proper supervisor can supervise up to twenty (20) minors. If minors are on the premises as part of a school-endorsed function, however, then each supervisor can supervise fifty (50) minors.

- 49. WORTHLESS CHECKS.** It is unlawful for any retail liquor licensee, retail dispenser, distributor or importing distributor to make, draw, issue or deliver, or cause to be so done, any checks, draft or similar orders in payment for any purchase of malt or brewed beverages, when the licensee has not sufficient funds in or credit with a banking institution, trust company, or other depository for payment of such checks.

The BLCE must issue a warning in lieu of a citation if the bad check in question is the first bad check issued from the licensee to the wholesaler in that calendar year and the licensee makes the check good within ten (10) days of its issuance.

Notice must be given to the Board within twenty (20) days of when the distributor/importing distributor is notified that the check will not be honored.

For answers to legal inquiries, contact:

*Office of Chief Counsel
PA Liquor Control Board
401 Northwest Office Building
Harrisburg, PA 17124-0001
(717) 783-9454 • Fax (717) 787-8820
www.ra-lblegal@state.pa.us*

Pennsylvania Liquor
Control Board 
In The Public Interest.