

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1462 Session of
1993

INTRODUCED BY SCRIMENTI, DONATUCCI, BEBKO-JONES, CAPPABIANCA,
BOYES, MERRY, KUKOVICH, TRICH, NAILOR, DALEY, HERSHEY,
BELFANTI, MILLER, HECKLER, VEON, STURLA, NICKOL, NYCE, WAUGH,
SAYLOR, SEMMEL, BARLEY, STABACK, RUDY, WOGAN, MAITLAND, JAMES
AND STEIL, APRIL 27, 1993

REFERRED TO COMMITTEE ON LIQUOR CONTROL, APRIL 27, 1993

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as
2 reenacted, "An act relating to alcoholic liquors, alcohol and
3 malt and brewed beverages; amending, revising, consolidating
4 and changing the laws relating thereto; regulating and
5 restricting the manufacture, purchase, sale, possession,
6 consumption, importation, transportation, furnishing, holding
7 in bond, holding in storage, traffic in and use of alcoholic
8 liquors, alcohol and malt and brewed beverages and the
9 persons engaged or employed therein; defining the powers and
10 duties of the Pennsylvania Liquor Control Board; providing
11 for the establishment and operation of State liquor stores,
12 for the payment of certain license fees to the respective
13 municipalities and townships, for the abatement of certain
14 nuisances and, in certain cases, for search and seizure
15 without warrant; prescribing penalties and forfeitures;
16 providing for local option, and repealing existing laws,"
17 providing for additional activities of limited wineries.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 505.2 of the act of April 12, 1951
21 (P.L.90, No.21), known as the Liquor Code, reenacted and amended
22 June 29, 1987 (P.L.32, No.14), is amended to read:

23 Section 505.2. Limited Wineries.--[Holders] In the interest
24 of promoting tourism and recreational development in

1 Pennsylvania, holders of a limited winery license may:

2 (1) Produce wines and wine coolers only from fruits grown in
3 Pennsylvania in an amount not to exceed two hundred thousand
4 (200,000) gallons per year.

5 (2) Sell wine and wine coolers produced by the limited
6 winery or purchased in bulk in bond from another Pennsylvania
7 limited winery on the licensed premises, under such conditions
8 and regulations as the board may enforce, to the board, to
9 individuals and to hotel, restaurant, club and public service
10 liquor licensees, and to Pennsylvania winery licensees:

11 Provided, That a limited winery shall not, in any calendar year,
12 purchase wine produced by other limited wineries in an amount in
13 excess of fifty per centum of the wine produced by the
14 purchasing limited winery in the preceding calendar year.

15 (3) Separately or in conjunction with other limited
16 wineries, sell wine and wine coolers produced by the limited
17 winery on no more than five board-approved locations other than
18 the licensed premises, with no bottling or production
19 requirement at those additional board-approved locations and
20 under such conditions and regulations as the board may enforce,
21 to the board, to individuals and to hotel, restaurant, club and
22 public service liquor licensees.

23 (4) At the discretion of the board, obtain a special wine
24 permit to participate in wine and food expositions off the
25 licensed premises. A special wine permit shall be issued upon
26 proper application and payment of the prescribed fee for special
27 occasion permits under section 614-A(24) of the act of April 9,
28 1929 (P.L.177, No.175), known as "The Administrative Code of
29 1929," per day for each day of permitted use, not to exceed five
30 consecutive days. A limited winery may not obtain more than five

1 special wine permits in any calendar year. A special wine permit
2 shall entitle the holder to engage in the sale of wine produced
3 by the bottle or in case lots. Holders of special wine permits
4 may provide tasting samples of wines in individual portions not
5 to exceed one fluid ounce. Samples at wine and food expositions
6 may be sold or offered free of charge. Except as provided
7 herein, limited wineries utilizing special wine permits shall be
8 governed by all applicable provisions of this act as well as by
9 all applicable regulations or conditions adopted by the board.

10 For the purposes of this clause, wine and food expositions
11 are defined as affairs held indoors or outdoors with the primary
12 intent of educating those in attendance of the availability,
13 nature and quality of Pennsylvania-produced wines in conjunction
14 with suitable food displays, demonstrations and sales. Wine and
15 food expositions may also include activities other than wine and
16 food displays, including arts and crafts, musical activities,
17 cultural exhibits, agricultural exhibits and similar activities.

18 Section 2. This act shall take effect in 60 days.