

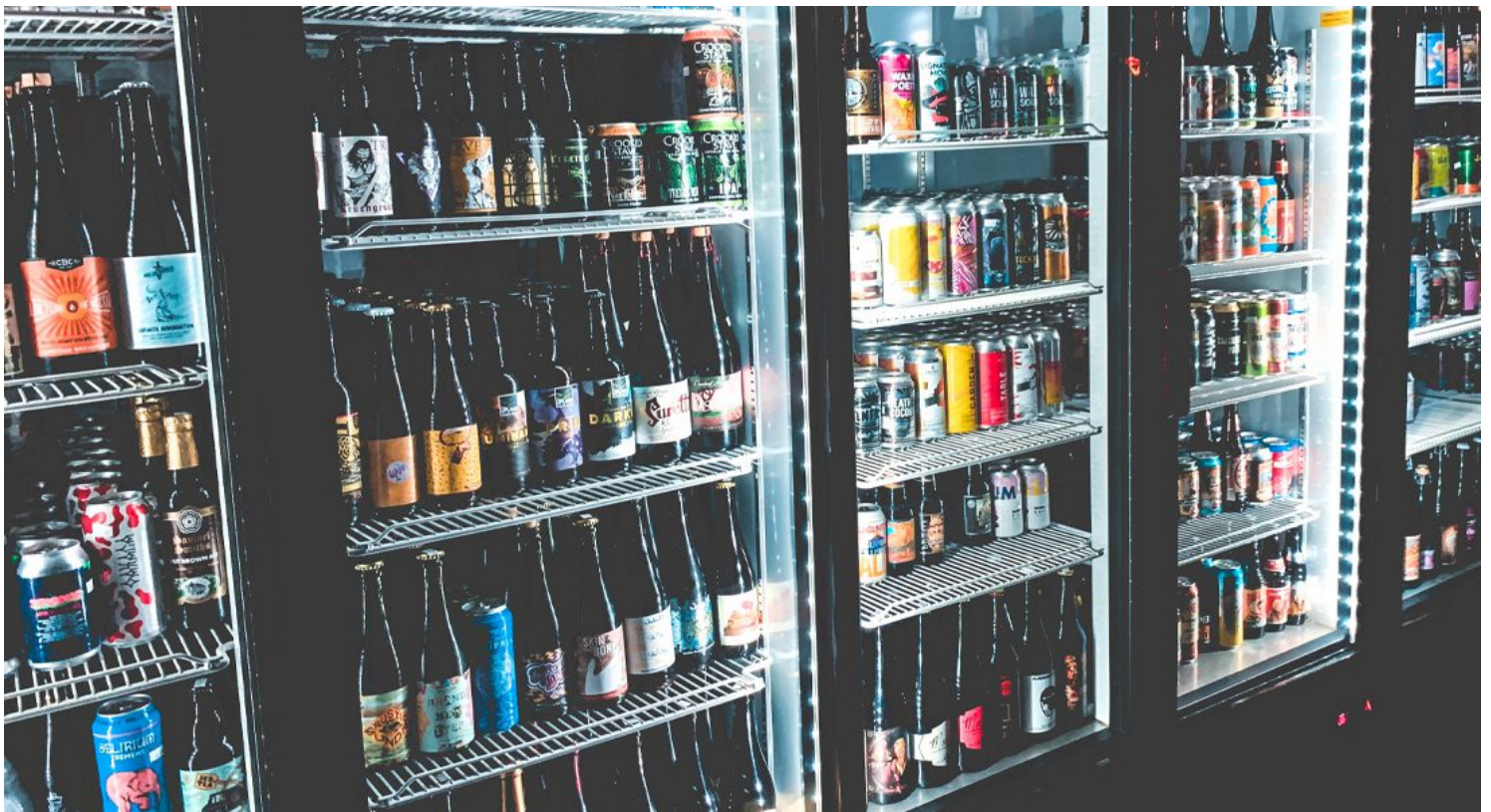
## NEWS & INSIGHTS

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# Reducing a bottleneck — change in PA Liquor Code allows beer and wine purchases at more checkouts

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If you have spent much time in a grocery store that sells beer or wine, you have no doubt witnessed two major complaints from customers – especially those from out-of-state – when they encounter some of Pennsylvania’s alcohol laws. For example, when someone tries to purchase four six-packs at one time, the cashier must kindly advise the customer that they can only purchase 192 oz. of beer per transaction. Then, sometimes in a loud announcement so others in line can hear and know the rule, and other times in a softer tone as though they are

letting the customer in on a secret, the cashier will tell the customer they can simply take their first two six-packs out to their vehicle and then come back in to purchase the other two.

The second most common complaint occurs when a customer has grabbed some beer or wine but also a cart full of groceries and they try to checkout at the main registers. The cashier, hopefully, catches the customer before they entirely unload their cart and advises them that they need to go back to the separate cash registers near the beer and wine to make their alcohol purchase first. Clearly, the convenience of having beer and wine in a grocery store has only gone so far.

Unfortunately, the 192 oz. per purchase restriction is likely not going away anytime soon. However, [beginning August 4](#), customers may be able to use more cash registers in grocery and convenience stores to make their alcohol purchases. In response to the COVID-19 pandemic, the Pennsylvania Legislature heard complaints from industry members regarding the frequent lines of people that would build as customers waited to purchase beer and wine from the specially designated registers (often only one or two per store). In addition to added convenience, allowing customers to use more cash registers reduces crowding and touchpoints. Whereas in the past, a customer had to stand in line, interact with a cashier, exchange payment for alcohol and then complete the same process shortly thereafter if they were also purchasing food, potentially increasing exposure of the customer and the employees. Under the new rule, the customer may be able to combine food and alcohol purchases at a standard cash register going forward.

Although this capability is now permitted, it will be up to the individual stores to implement and not all stores will be able to satisfy the requirements, which include the following:

- The cash registers must be within the same building as the area licensed for alcohol sales
- The building cannot exceed 11,000 square feet
- The store must post signage indicating which registers will allow alcohol sales
- The registers cannot be self-service or allow the customer to scan their own purchases
- The register must be staffed at all times by a person who is at least 18 years old and who has completed [Responsible Alcohol Management Program \(RAMP\)](#) training
- The cashier must use a transaction scan device to verify the age of anyone who appears to be under 35 years old
- The store cannot sell or share the data collected from the transaction scan device

For stores that meet the above criteria and who are interested in expanding their cash register options for customers, they must email [RA-LBLICINV@PA.GOV](mailto:RA-LBLICINV@PA.GOV) and include their Liquor Identification Number (LID), license number, licensee name and address; identify their building's total square footage; attach a plan, sketch, or diagram showing the location of the additional cash registers they will use; and confirm that they meet all of the requirements described above. Stores may begin using the registers as soon as the email has been sent, but they are subject to later inspection and revocation of the privilege if it is determined they don't qualify.

Saxton & Stump attorneys [Ken McDermott](#) and [Kim Selemba](#) are available to discuss the change and how our Hospitality and Liquor Licensing and Alcohol Law groups can help you determine if your business meets the requirements under the revised rule to allow alcohol sales at more registers.

## **Related People**

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