



# Malt Beverage Distributors Association of Pennsylvania

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## MBDA 83<sup>rd</sup> Annual CONVENTION & TRADE SHOW

**Saturday & Sunday  
May 4 & 5, 2019**

### Kalahari Resort & Convention Center

250 Kalahari Boulevard  
Pocono Manor, PA

**For room reservations call**  
1-800-525-2427  
and provide our  
group code 4782  
or book on-line at [https://  
book.passkey.com/e/49827412](https://book.passkey.com/e/49827412)



**All Beer Distributors,  
Brewers, Importers, and  
Allied Trade Suppliers  
Are Invited To Attend**

### Saturday, May 4th

**1:00 PM - 4:00 PM:** Luncheon & Business Session—"Driving Sales", "Employee Improvement", "Promotions That Work", "Know Your Competitors", "Legislative & Legal Review".

**7:00 PM - 8:00 PM:** Cocktail Party—Complimentary beer & scrumptious d'oeuvres.

**8:00 PM - 11:00 PM:** Banquet & Entertainment—Fabulous food stations, an array of great brews, side-splitting comedy.

### Sunday, May 5th

**10:00 AM - 12:30 PM:** Business Session—"Better understand your customer's buying habits". "Merchandize and sell more effectively". "Improve your store's layout and flow pattern".

**12:30 PM - 1:00 PM:** Policy Board Meeting—Elect MBDA directors.

**1:00 PM - 5:00 PM:** Brewer, Importer, Allied Trade Supplier Hospitality & Exhibit Booths—More than 45 manufacturers showcase their products and services. Enjoy great food and beer. Learn of cost-saving aids and profit-making items.

**7:00 PM - 10:00 PM:** Evening at Desaki Restaurant—Experience the best in Hibachi dining. Includes complimentary transportation.

**Frank Pistella**  
President

**Stephanie Eckert**  
Executive Secretary/Convention Coordinator

**Carson Baker**  
Executive Director

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[www.mbdapa.org](http://www.mbdapa.org)

## Save Time and Money Register in Advance

MBDA recommends that you register in advance for all convention events. Enclosed are two pre-registration forms: "All Events" form includes Saturday luncheon & business session; Saturday cocktail party, banquet & entertainment; Sunday business session; and Sunday hospitality & exhibit booths @ only \$175.00 per person for MBDA members and \$190.00 for non-members. "Daily Events" form is for attendance to select functions. Costs are as follows: Saturday luncheon & business session @ \$45.00 per person. Saturday cocktail party, banquet & entertainment @ \$100.00 per person. Sunday business session & hospitality/exhibit booths @ \$45.00 per person for MBDA members and \$60.00 for non-members.

Note that tickets for Sunday's dinner at Desaki Restaurant @ \$75.00 per person are priced separately from in-house convention events and can be purchased using either the "All Events" or "Daily Events" form.

Please return your registration forms to MBDA before April 19th. Your badges will be readily available to you at MBDA's convention registration desk on Saturday, May 4th, from 11:00 AM to 6:00 PM and on Sunday, May 5th, from 9:30 AM to 4:00 PM. You can also purchase tickets and badges on each day at the convention registration desk, but costs will be slightly higher.

See pages 3 & 4 for details on each convention event. MBDA has the lowest convention registration rate of any state or national distributor association and fees are tax deductible. This is a Convention that no industry member can afford to miss!

## Largest State Distributors Convention

Convention Chairman, JJ Bromwell of Link Beverages in Coopersburg, announced that MBDA will once again present an outstanding convention for its beer distributors, brewers, importers and allied trade suppliers. This two-day event is the largest state beer distributor convention in the country, and attendance should exceed 300 registrants. Make plans now to come to the Convention, join in on the fun, and improve your business too. We look forward to seeing you there!

## Guestrooms Offered at an Amazing Rate

MBDA is pleased to offer our convention registrants an incredible room rate of only \$189.00 per day + 6% sales tax and 3% hotel tax based on single, double, triple or quad occupancy. This special rate includes 4 waterpark passes per room, per day; complimentary use of the Fitness Center; free parking and complimentary wireless Internet services.

The reduced rate does require a two-night minimum to include a Saturday overnight stay. Go on-line and you'll see that our pricing represents a significant savings as compared to the hotel's standard rate over the same time period.

The Kalahari, features first class hotel accommodations. Each of the hotel's stylish guestrooms is furnished with two-queen beds and a sofa. In-room amenities include HD television with cable, microwave, coffee maker, refrigerator, iron, ironing board, in-room safe, complimentary Wi-Fi, alarm clock, voice mail system, hairdryer, luxurious bath amenities and admission to the indoor waterpark. All rooms are non-smoking.

Check-in is 4:00 PM. Check-out is 11:00 AM. Early check-ins will be honored based on room availability.

### Guarantee Your Room Reservation Before April 10<sup>th</sup>

Please be sure to contact the Kalahari Resort before April 10th to ensure that you receive MBDA's discounted room rate. Call the resort directly at 1-800-525-2427, follow the prompts for a group reservation in the Pocono's, and once connected with an agent supply our group code 4782. Or you can go-on line to <https://book.passkey.com/e/49827412>. All reservations must be guaranteed with a credit card at the time your reservation is made.

## The Poconos—Offer Fun and Activities for the Entire Family

There is plenty to do for convention attendees and their families. The Kalahari features the largest indoor waterpark in the United States. Experience stand-up surfing or body boarding on the Flow Rider, the twists and turns of the Anaconda and Swahili Swirl waterslides, a relaxing lazy river ride, or unwind in the resort's hot tubs. Their family entertainment center features black light mini-golf, WX Dark Ride and bowling. Rejuvenate in the Kalahari Spa and Salon.

### Easy to Get To

The Kalahari Resort, 250 Kalahari Boulevard, Pocono Manor, is located immediately off I-380 at Pocono Exit 3. The hotel is 2 hours from Philadelphia, 2 hours from Harrisburg, 5 hours from Pittsburgh, 30 minutes from Scranton, and 50 minutes from Allentown. Parking is complimentary. For directions go to <https://www.kalahariresorts.com/pennsylvania/>



The resort offers incredible dining options that include a steakhouse, Italian cuisine, classic tavern fare, buffet with multiple food stations, pizza pub, candy & ice cream shoppe, and coffee house. Unwind in Felix's bar, their unique watering hole. For a tour of the hotel go to [www.kalahariresorts.com/pennsylvania](http://www.kalahariresorts.com/pennsylvania).

Just minutes from the Kalahari you'll enjoy golf, horseback riding, whitewater rafting and skeet shooting.

Visit Bushkill Falls—the Niagara Falls of Pennsylvania.

Shoppers should be sure to visit the Crossings Premium Outlets in Tannersville, just a 12 minute drive from the hotel. You'll find an exciting collection of 100 outlet stores from the world's leading designers and name brands, offering 25-65% off every day.

## Important Business Sessions Outstanding Trade Show ★ Exciting Social Events

### Saturday, May 4th:

- New for 2019! Join us for **Lunch** and our **Business Session** from **1:00 PM to 4:00 PM**. Speakers will address subject matters of keen interest to distributors, brewers and allied trade suppliers that include, "Driving Sales", "Employee Improvement", "Promotions That Work" and "Know Your Competitors". MBDA Staff will provide you with a thorough review and update on legal, legislative, regulatory and administrative issues and will answer questions. The annual **Membership Meeting** that follows is restricted to MBDA members only.

More detailed information on Saturday's business program will be forthcoming in our April newsletter sent to MBDA members. To attend the luncheon and business session, please return your registration form to MBDA by April 19th.

- Our one-hour **Cocktail Party** begins at **7:00 PM** and offers great beer and delicious hors d'oeuvres.
- The Association's **Banquet** starting at **8:00 PM** is the highlight of our social events. It features fine brews and superb food stations that include carved beef, ham, turkey; seafood (shrimp, crab cakes, scallops); pasta; salads; vegetables; desserts and live entertainment. More detailed information will be forthcoming in MBDA's April newsletter. To attend the cocktail party and banquet, please return your registration form to MBDA by April 19th.

### Sunday, May 5th

- Distributors, brewers, importers and allied trade suppliers are urged to attend our **Business Session** from **10:00 AM to 12:30 PM**. A prominent analytics firm will present their seminar, offering suggestions to enable retailers to better compete and drive customer loyalty more effectively in today's marketplace. Their

presentation will be followed by an address by a leading architectural firm who will discuss how to optimize store layout and flow patterns to help retailers flourish. Complete details on Sunday's business program will be noted in our April newsletter.

- At **12:30 PM**, MBDA's **policy board** representatives will hold its annual meeting to elect district vice presidents and directors for the membership year beginning July 1st. All representatives are urged to attend the policy board meeting. Detailed information will be forthcoming.
- **Brewer and Importer Hospitality Booths will open at 1 PM**. It is expected that over twenty major suppliers (national, regional and local) will make arrangements for hospitality headquarters. Our registrants are welcome to enjoy beer, soft drinks, food, snacks and entertainment. Admission to all hospitality booths is by badge only.
- Our **Allied Trade Suppliers will open their booths at 1 PM**. The trade exhibits are an important feature of the Convention designed to help our distributors make money, cut down on expenses and increase the efficiency of their businesses. It is anticipated that at least twenty allied trade suppliers will provide demonstrations of cost-saving aids and profit-making items at their booths. Admission to all trade supplier booths is by badge only.

Allied trade supplier products and services include: Beverage Dispensing Equipment. Beverage Drinkware & Insulators. Brokerage Services. Candy Products. Credit Card Processing. Insurance. Material Handling Equipment. POS Systems. Refrigeration. Shelving. Snack Products. Soft Drinks. Tobacco Products, Web Design, etc.



## Sunday, May 5th *(continued)*:

A list of participating brewers, importers and allied trade suppliers will be noted in our April newsletter. Distributors who attend Sunday's Trade Show qualify for manufacturers' promotions, prizes, and valuable give-a-ways.

To attend Sunday's business session and trade show, please send MBDA your registration form by April 19th.

- A superb **Dinner at Desaki Japanese Restaurant** in nearby Swiftwater at **7:00 PM** will officially conclude MBDA's 83rd Annual Convention. Their talented Hibachi chefs will prepare all your favorites, including Filet Mignon, lobster, scallops, salmon, chicken, NY Strip and jumbo shrimp, right before your eyes. Complimentary shuttle transportation is provided to and from the restaurant. To attend the dinner please return your registration form to MBDA by April 19th.

### Convention Sponsorships Are Available

*Wholesalers, brewers and allied trade suppliers who are interested in purchasing a convention sponsorship should contact Convention Chairman JJ Bromwell at 610-282-1516 or Convention Coordinator Stephanie Eckert by phone 215-732-6258 or email [mbdassn@aol.com](mailto:mbdassn@aol.com). Details are below:*

#### **\$1,000 Sponsorship includes:**

- ★ 10 complimentary passes for admission to Sunday's trade show featuring over 45 hospitality and exhibit booths,
- ★ 4 complimentary passes for Saturday's Luncheon & Business Session,
- ★ Complimentary half-page black & white ad in the MBDA 2019 trade directory (\$250 value) or a \$250 credit toward a full-page color or black & white ad

*Your generosity will be acknowledged at the convention and in our newsletters and trade directory.*

## Why Manufacturers Should Participate

Here's why brewers, importers and allied trade suppliers are encouraged to participate with a hospitality or exhibit booth:

- ✓ MBDA's Annual Convention is the largest state distributors convention in the country.
- ✓ Pennsylvania is one of the nation's largest volume and per capita consuming states for malt beverages.
- ✓ We attract strictly Industry personnel – your serious shoppers.
- ✓ The Convention is an excellent way to promote your products and services. You are welcome to sell, take orders and schedule appointments – all right from your booth.
- ✓ You gain prestige and exposure for your Company.
- ✓ Your customers will be in attendance. The Convention gives you the opportunity to strengthen your business contacts.
- ✓ You will make new business contacts. Our Convention is the least expensive way of reaching new buyers.
- ✓ You will have a full afternoon to showcase your products and services. The Association's business sessions do not compete with the hospitality and exhibit hours.
- ✓ The Association has kept its Convention very affordable.
- ✓ The Convention gives you the opportunity to network with your Industry peers.



## To Reserve Your Hospitality or Exhibit Booth

Everything you require for a successful convention is here! Kalahari has superb meeting space. All booths are located in the Conference Center Ballroom—ideal for brewer hospitality and allied trade supplier exhibits. We guarantee exposure for all brewers, importers and allied trade suppliers.

**To reserve your space, brewers, importers & allied trade suppliers need only to return their Booth Reservation Request Form to MBDA. Form was recently sent to you under separate cover.** Please respond as soon as possible. Booths are on a “first-come, first-served” basis.

## Purchase Advertising Space It Gives You Visibility

An Order Form for Trade Directory Advertisement with prices and ad placement details is enclosed. **Please return the order form together with your ad material to our Executive Office by March 29th.**

We encourage you to be part of MBDA's 83rd Annual Trade Directory. Your support of our industry's publication is very much appreciated.

## Trade Directory The Industry's Official Handbook

**The MBDA Trade Directory is recognized as the official handbook for the Industry.** It contains numerous product advertisements and important trade information. The Trade Directory is a year-round reference book used by distributors, brewers, importers and allied trade suppliers doing business in Pennsylvania. It will be distributed at the Convention free of charge to all MBDA members, convention attendees and ad subscribers.

Vital information contained in the Trade Directory includes:

- Names, addresses and classifications of all Pennsylvania beer distributors.
- Contact information for MBDA officers, board members and staff.
- Digest of industry state laws and regulations.
- Annual release of the PA Revenue Department indicating malt beverages sold by container size.
- Annual release of the PA Liquor Control Board showing the number of various licenses by county.
- Listing with addresses and telephone numbers for officials of the PA Liquor Control Board, State Police Bureau of Liquor Control Enforcement, PA Revenue Department, and Alcohol & Tobacco Tax & Trade Bureau.
- Names, addresses and telephone numbers of our State Senators and Representatives for their Harrisburg and district offices.
- Names, addresses and products of our associate members and participating brewers, importers and allied trade suppliers.

### Who Should Subscribe

- Every ID Distributor is encouraged to subscribe to a full-page ad. This is an excellent opportunity for the wholesale distributor to promote his own special interest and image as well as the brewer's brand product.
- Distributors, D & ID, who do not have a particular brand can show their support for this much-needed trade publication with their own ad.
- It is also important for distributors to suggest to their sources of supply and county associations to place ads.
- Brewers, importers and allied trade suppliers are especially urged to subscribe to ads. The Directory is the best possible way to remind the Pennsylvania distributors of your products and services.

**Please give serious consideration to inserting a color ad. With your support we expect the 83rd annual edition of the Trade Directory to be the largest issued by the Association.**

## For Updates and Additional Information Be Sure to Attend Our Saturday, May 4th and Sunday, May 5th, Business Sessions

### PA Election Results

The November 2018 election resulted in one of the highest turn overs in recent history for members of the Pennsylvania general assembly. The new 2019-2020 session will feature 50 new members in the PA House and Senate (slightly under a 20% turnover).

### PA House & Senate Control

The Republican majorities in both chambers have shrunk. The House will now be made up of 110 Republicans to 91 Democrats with 2 vacancies. The Senate will have 27 Republicans to 21 Democrats with 2 vacancies.

For contact information for each House member please go to [www.house.state.pa.us/](http://www.house.state.pa.us/). For the Senate, go to [www.pasen.gov/](http://www.pasen.gov/).

### Proposed Legislation Opposed by MBDA

A Chester County Legislator is proposing a new law that allows R licensees to “split” and divide their license into takeout (beer-to-go) and on-premises functions, that can be held by separate individuals. Essentially, this would create 10,000 new takeout beer licenses.

The legislator, Rep. John Lawrence, (R – 13, the Southwest corner of Chester County), filed a sponsorship memo saying he wants to help “small mom-and-pop restaurants who want to serve a glass of wine ... [and are] priced out of purchasing a liquor license...”

Rep. Lawrence desires to give R licensees the right “to split their license into two separate licenses – one for beer-to-go sales, and one for serving beer, wine and hard liquor on premises.”

This well-intentioned idea would, of course, destroy the investments of thousands of mom-and-pop owners of R, H, E, and D licenses. It would substantially “dilute the value of existing licenses for license holders”, an undesirable consequence that was, he says, a defect of other legislative plans to create more licenses.

If passed, this bill would enable most grocery and convenience stores to sell-off the on-premises function, something they tried to achieve a decade ago by getting the Liquor Board to misinterpret the Liquor Code and allow them to hold an E license without providing on-premises consumption. This proposal was defeated in the Supreme Court after suit by the MBDA.

Two courts said this would “significantly transform” the industry, adding that “it defies common sense” to allow merchants

to buy a license designed for consumption on the premises to no longer provide this service.

The bottom line, of course is that while this bill would, perhaps, provide a small amount of marginal income to a handful of restaurant, it would again split the takeout market, reduce consumer selection as inventories decline, and empower grocery and convenience stores as it devalues an asset of small business owners who have already invested in an R, D, E or H liquor license.

It is a basic economic principle that in order to offer convenience and choice to consumers, a stated goal of the General Assembly, takeout businesses must have enough volume to enable them to sell brands that have a smaller following. Diluting the market has negative consequences to the consumer. Today, it is still the distributor that provides the largest selection in any local market. When food merchants got wine, they eliminated shelf space allocated to the slower moving brands of beer.

This Bill, if passed, would dilute markets, hurt small businesses who have already made investments, and reduce consumer convenience and selection.

### PA Senate & House Dates

The Pennsylvania House of Representatives and Senate are expected to be in session on:

<b>HOUSE</b>	February 4, 5, 6, 19, 20, 21
March	11, 12, 13, 18, 19, 20, 25, 26, 27
April	8, 9, 10, 15, 16, 17, 29, 30
May	1, 6, 7, 8, 13, 14, 15, 22
June	3, 4, 5, 10, 11, 12, 17, 18, 19, 20, 24, 25, 26, 27, 28

<b>SENATE</b>	February 4, 5, 6
March	18, 19, 20, 25, 26, 27
April	8, 9, 10, 29, 30
May	1, 6, 7, 8
June	3, 4, 5, 10, 11, 12, 17, 18, 19, 24, 25, 26, 27, 28.

Budget hearings are scheduled from February 11-March 7.

When not in session, Senators and House Members can be reached at their district offices. It is very important for distributors to personally reach out to their legislators. If you're not certain of your House Member, please visit [www.house.state.pa.us/](http://www.house.state.pa.us/), click on “Find My Representative” and then type in your address, city and zip code. For Senators, go to [www.pasen.gov/](http://www.pasen.gov/), click on “Find My Senator” and then type in your address, city and zip code.







## Senate and House Leadership & Committees

### Senate and House Leadership & Committees

MBDA regularly meets with Leadership and House Liquor and Senate Law & Justice Committee Members. It is equally important for distributors who reside in the Senatorial or House Districts of Leadership and Committee Members to contact their lawmakers. They want to hear from their voting constituents.

Share with them your personal story—How many years you've been in business. How many full and part-time people you employ. The good wages you pay. Health and pension benefits that you provide. Vacation time that you offer. How much inventory you carry. Your involvement in community events. Your excellent record in not selling to minors.

1,300 locally-owned beer distributors in 67 counties going out of business translates into a loss of over 15,000 good-paying jobs—jobs that would not be recouped by grocery, convenience and big-box stores.

### PA Senate Leaders

The Senate Republican and Democrat leadership teams for the 2019 legislative session are as follows:

Republicans—Majority Leader Jake Corman (Centre). Whip John Gordner (Columbia). Caucus Chair Bob Mensch (Montgomery). Caucus Secretary (To be appointed by President Pro Tempore). Policy Committee Chair David Argall (Schuylkill). Caucus Administrator (To be appointed by President Pro Tempore). Appropriations Committee Chair Patrick Browne (Lehigh). President Pro Tempore Joseph Scarnati (Jefferson).

Democrats—Minority Leader Jay Costa (Allegheny). Whip Anthony Williams (Philadelphia). Caucus Chair Wayne Fontana (Allegheny). Caucus Secretary Larry Farnese (Philadelphia). Policy Committee Chair Lisa Boscola (Northampton). Caucus Administrator John Blake (Lackawanna). Appropriations Committee Chair Vincent Hughes (Philadelphia).

### PA House Leaders

The House Republican and Democrat leadership teams for the 2019 legislative session are as follows:

Republicans—Speaker Mike Turzai (Allegheny). Majority Leader Bryan Cutler (Lancaster). Whip Kerry Benninghoff

(Centre). Caucus Chairman Marcy Toepel (Montgomery). Caucus Secretary Mike Reese (Westmoreland). Policy Chair Donna Oberlander (Clarion). Caucus Administrator Kurt Masser (Northumberland). Appropriations Committee Chair Stan Saylor (York).

Democrats—Minority Leader Frank Dermody (Allegheny). Whip Jordan Harris (Philadelphia). Caucus Chair Joanna McClinton (Philadelphia). Caucus Secretary Rosita Youngblood (Philadelphia). Policy Chairman Mike Sturla (Lancaster). Caucus Administrator Neal Goodman (Schuylkill). Appropriations Committee Chair Matt Bradford (Montgomery).

### PA Senate Committee Law & Justice

The Law & Justice Committee works on alcohol legislation in the Senate. The following is the Republican Committee: Pat Stefano (Fayette) is Majority Chairman. Don White (Indiana) is Vice-Chairman. Members are: Tom Killion (Delaware). Mike Regan (York). Judy Ward (Blair). Gene Yaw (Lycoming).

The following is the Democratic Committee: Jim Brewster (Allegheny) is Minority Chairman. Members are: Wayne Fontana (Allegheny). Christine Tartaglione (Philadelphia). Anthony Williams (Philadelphia).

### PA House Committee Liquor Control

The Liquor Control Committee works on alcohol legislation in the House. The following is the Republican Committee: Jeff Pyle (Armstrong) is Majority Chairman. Members are: Matthew Dowling (Fayette). Valerie Gaydos (Allegheny). Barry Jozwiak (Erie). Joshua Kail (Beaver). Andrew Lewis (Dauphin). Natalie Mihalek (Allegheny). Timothy O'Neal (Washington). Greg Rothman (Cumberland). Frank Ryan (Lebanon). Justin Simmons (Lehigh). Craig Staats (Bucks). Mike Tobash (Schuylkill). Jesse Topper (Fulton). Jeff Wheeland (Lycoming).

The following is the Democratic Committee: Dan Deasy (Allegheny) is Minority Chairman. Members are: Frank Burns (Cambria). Dave Dellosa (Delaware). Maria Donatucci (Philadelphia). MaryLouise Isaacson (Philadelphia). Malcolm Kenyatta (Philadelphia). Anita Astorino Kulik (Allegheny). Steven Malagari (Montgomery). Adam Ravenstahl (Allegheny). Peter Schweyer (Lehigh).

## Sales Tax Discrepancy

We've heard from MBDA members about the unfairness of distributors competing against grocery and convenience stores that pay taxes on their wholesale cost and thus give consumers the impression that they do not collect any sales tax. You have our assurance that MBDA is working to find a remedy so that distributors can compete on a level-playing field.

## Single Register

What is the law regarding the Single Register?

The law regarding liquor licenses has long been that sales of alcoholic beverages on premises or for take-out need to be paid for at a register on the licensed premises.

Why is this issue? Grocery and convenience stores, the prime user of the expanded wine permit, want their customers to be able to pay for take-out beer and wine at any register, not just a special register on the licensed premises.

Who is pushing to change these rules? Sheetz, Wal-Mart, and other big box stores and food merchants have made it clear that they want to be able to hold a restaurant license, sell only for take-out (not on-premises), and want to be able to sell from any register that they operate.

Why is this undesirable? While this has always been the law, the General Assembly added a specific provision requiring "on premises" sales for those with an expanded wine permit. This was agreed to by the Food Merchants and now they want to renege on a deal.

Why was the deal made as part of the passage of the bill allowing expanded wine permits? The Liquor Law is designed to control the sale of alcoholic beverages, and the "single register" requirement was inserted to help prevent sales to minors. Allowing buyers to wonder around the store, shop for a friendly cashier, or pass off the alcohol to someone who has not been in the beer section to smuggle out makes control more difficult.

Aren't there legal sanctions that impact on all merchants? Yes. Except the fines are minimal to multimillion dollar food merchants and even a suspension has little impact on them since these sales are a small percentage of their sales. To distributors, and most true restaurants, a suspension is extremely costly so we basically risk our livelihood with every sales.

Distributors – Be assured that MBDA is keenly aware of the food merchants' intentions and is prepared to stop them. In the meantime, you can assist your association by contacting your senator and house member and stating your objections to single cash register sales by supermarkets and convenience stores.

## US Supreme Court to Hear Tennessee Residency Case

The U.S. Supreme Court will review a February, 2018 determination from the U.S. Court of Appeals for the 6th Circuit (Middle District of Tennessee) which held that residency requirements for alcohol beverage licenses are unconstitutional. The Supreme Court's ruling in this case could significantly impact the regulation of alcohol and state licensing throughout the country. Under Tennessee law, an applicant for a retail liquor license must have been a resident of Tennessee for at least two years prior to making application for a license. For corporations and other business entities, the 2-year requirement applies to any officer, director or shareholder of the company. Two out-of-state applicants, including Total Wine, filed applications for licensure and the matter ended up in the federal court system captioned as Byrd v. Tennessee Wine and Spirits Retailers Association. The U.S. Court of Appeals for the 6th Circuit ultimately determined the residency requirements violated the "dormant" Commerce Clause. There has been a split in the federal courts over this issue in recent years, and it is expected the Supreme Court will resolve this split and provide more clear guidance on these residency requirements going forward.

The decision will impact Pennsylvania which has similar requirements for retail licenses. Under the Pennsylvania Liquor Code, any individual applying to hold a retail (restaurant, hotel, club or retail dispenser) license must show he or she has been a Pennsylvania resident for at least two years preceding the application; however, if the applicant is a company, the applicant must only show the company was formed in Pennsylvania or holds a certificate of authority to transact business in Pennsylvania. With respect to distributor licenses, Pennsylvania law requires applicants to be Pennsylvania residents at the time of making application and, in the case of corporations, all the officers and directors must be residents of Pennsylvania and at least 51% of the company must be owned by individuals who are residents of Pennsylvania. Individuals who are not residents are limited to ownership of no more than 49% of the company.

MBDA board members directed the Association to make a contribution to ABL's Legal Fund to help them with the cost of drafting and filing their amicus brief. We thank Skip Link, Mark Tanczos & Jim Yaple for their contributions that helped fund MBDA's donation.

We want to share with you ABL's Executive Director, John Bodnovich's, thank-you letter, "This is wonderful news and a generous contribution. I am sure that this decision was not made lightly by MBDA. This added support will help ABL fight for MBDA members in the Supreme Court and in other federal courts where the outcome of lawsuits could have a serious impact on beer distributors in Pennsylvania".





## Licensee Compliance Program Reporting a Violation

We previously updated our members on the new, statewide “Licensee Compliance Program” that was introduced in January, 2018. The new law allows the PLCB to immediately take away a licensed establishment’s ability to sell or serve alcohol when PLCB employees find that a licensee does not meet requirements related to seating, food, square footage, rooms, and health license authority. Some of our members have complained about gas stations and other retailers not meeting the criteria to operate as a bona fide restaurant and have asked when the PLCB is going to inspect those businesses. The inspections are expected to be largely complaint-driven and the PLCB has encouraged residents and community members interested in reporting a complaint about a licensee to do so by email to [RA-LBCompliance@pa.gov](mailto:RA-LBCompliance@pa.gov). Based on complaints received, the PLCB will begin unannounced on-site investigations of licensees. If the PLCB finds a licensee is not in compliance through an on-site inspection, the PLCB employee will notify the licensee of the deficiency or problem and immediately suspend the licensee’s operating privileges. The licensee will then have an opportunity to resolve the issue and to schedule a re-inspection to regain operating privileges. To report a complaint go to [www.lcb.pa.gov](http://www.lcb.pa.gov). Click on licensing, then click on licensing compliance program and then reporting complaints about a licensee.

## Questions about Identification Cards

We have been asked by members whether carding of patrons is required and when it is appropriate to check a customer’s identification prior to selling them malt or brewed beverages. Contrary to what some may think, there is nothing in the Liquor Code or the PLCB’s regulations requiring patrons to possess valid identification while on premises or when making a purchase at a beer distributor. However, if you choose not to card people, be aware that the Liquor Code holds licensees strictly liable for service to minors and, thus, it is generally considered to be in the best interests of licensees to require customers to provide identification when their age is in question.

So, when is carding a good idea? Best practices dictate that you card every customer who purchases malt or brewed beverages at your distributor. Most distributor owners will not card everyone, and the PLCB’s Responsible Alcohol Management Program (“RAMP”) recommends that anyone who appears to be under the age of 35 be considered a potential minor and should be asked for identification. Some business owners are concerned what a customer may think about being asked for identification, but it is your legal right to do so. In fact, the Liquor Code specifically authorizes licensees and their servants, agents, or employees to request that customers

desiring to purchase alcohol present identification.

It is true fake ID’s exist and the quality of those fake identification cards seem to improve on a regular basis. The General Assembly understood this to be the case, and that is why section 495 of the Liquor Code was drafted to provide licensees and employees of licensees with an affirmative defense against charges regarding service to minors in both civil and criminal proceedings.

Specifically, the Liquor Code provides that no penalty shall be imposed against a licensee or its employee for serving alcohol to a minor if it is established to the satisfaction of an administrative law judge that (1) the minor was required to produce an acceptable form of identification; and (2) either (a) the minor completed and signed a declaration of age card, (b) a photograph, photocopy, or other visual or video presentation was made, or (c) the identification was scanned by a transaction scan device and was found to be valid; and (3) these documents were relied upon in good faith.

Acceptable forms of identification for purposes of establishing the affirmative defenses set forth in the Liquor Code are as follows: (i) a valid photo driver’s license or identification card issued by the Department of Transportation or by any other state or Canadian driver’s license or other bona fide Canadian identification such as a Canadian-issued passport; (ii) a valid United States Armed Forces identification card; or (iii) a valid passport or travel visa issued by the United States or a foreign country that contains the holder’s photograph. Notwithstanding the validity of any form of acceptable identification, a licensee may still refuse service to anyone suspected of having a false or invalid identification.

It is also recommended that the licensee document the carding of each customer and retain the information either electronically or in print format for a period of at least two (2) years.

Distributors—please be vigilant and card everyone whose age appears questionable. Let’s maintain our excellent record of not selling to minors!

## Association Health Insurance

Our health insurance agent informs us that insurance carriers have put their association health plans on hold for now. He will continue to monitor events as they unfold, and will let us know as soon as Pennsylvania has a viable market for association programs.

Please be assured that MBDA is very interested in bringing an association health insurance program to our members with the guarantee that the carrier delivers a competitive plan with affordable rates. MBDA members will be kept updated.

## Results of MBDA Surveys

MBDA values the input of our members and periodically conducts surveys to obtain their feedback. The following are the results of surveys that MBDA conducted over the last several months.



### Are you currently selling 6-packs and singles?

Total Responses: 69

YES - 91.3% (63)

NO - 8.7% (6)



### Are you open for Sunday sales?

Total Responses: 89

YES - 93.3% (83)

NO - 6.7% (6)



### Are you selling slushies?

Total Responses: 59

YES - 25.4% (15)

NO - 74.6% (44)



### Which of the following size categories would best characterize your store (square footage)?

Total Responses: 77

1,500 to 2,999 - 26% (20)

3,000 to 4,999 - 33.8% (26)

5,000 to 6,499 - 14.3% (11)

6,500+ - 26% (20)

## PA Revenue 1014 Report

Members have called, asking if they still need to file the monthly 1014 report with the PA Department of Revenue. The answer is "yes".

We believe this question arose from some distributors confusing the long-standing PA Revenue 1014 report with the new PLCB reporting requirements as a result of Act 166.



## Distributors Political Action Committee (DISPAC)

DISPAC is MBDA's Political Action Committee. Its purpose is to show support and make contributions to the campaigns of State Senators and House Members who are favorable to our issues. By law, DISPAC is permitted to collect and disburse funds to achieve our legislative goals. Contributions helped pave the way for our most recent accomplishment—Sales of singles to cases including growlers!

## Please Make Your 2019 DISPAC Contribution

DISPAC Chairman, Skip Link, thanks all MBDA members who contributed to our Distributors Political Action Committee in 2018. Contributors' names are noted below. Please don't hesitate to call on us if you have a recommended event in your district that warrants a fund disbursement.

Mike Baker, Ross & Christine Balquist, Joe Bound, Mark Boyce, Tony & Patricia Colangelo, Wayne Crouse, Mike & Lindale DeBone, Tom & Dolores Derr,

Diane Dillon, Dave & Tracey Dripps, George Duffey, Ryan & Gretchen Federbusch, John Gerbron, Lynn Harold, Maureen & Donald Hicks, Karen & Geoffrey Hurley, Brad & Tammy Keuscher, Steve & Shari Klein, Francis & Mary Jo Krafty, Daneen & Chris Miller, Scott & Linda Nelson, Arun Patel, Snehal Patel, Pete & Tina Petousis, James Platz, Keith Rutt, David & Sharon Shipula, Pete Sirianni, Jessica Wheeland, Jim Yapple, Tim Zettlemoyer.

## Thank You Tom Derr

MBDA extends its warmest congratulations to our director Tom Derr of West Lawn Beverage in Berks County for donating \$2,744 to the Cystic Fibrosis Foundation. Tom's support will help the Foundation continue to forge new paths to reach their ultimate goal—a cure for all people with CF.

We ask that our MBDA members advise us of their civic and charitable contributions, so that we can acknowledge your kindness.

## Condolences

**Jay Blair Goettler**, 87, of Butler, Pennsylvania, passed away on Tuesday, October 9, 2018, peacefully in his sleep.

Jay was born in Butler, Pennsylvania on April 10, 1931. He graduated from Butler High School and continued on to Saint Vincent College in Latrobe for a year.

Jay was married to Virginia Ann Goettler (Glance) on February 13, 1954; they were married 64 years.

Jay worked at his father's beer distributor, E.C. Goettler Distributing before joining the military and serving 4 years with the Seabees (Navy) stationed in Trinidad and Newfoundland.

After returning from the service, Jay went back to work at his family's business that was established by his grandfather, Fred H. Goettler in 1933. He purchased the business from his parents (Eugene and Margaret) in 1972 and in 1976 he became President and CEO of Goettler Distributing, Inc. He loved the beer business and was a role model for all his employees over the decades. Thanks to his guidance, Goettler Distributing, Inc. has continued on as a successful local business for 85 years.

Jay is survived by his wife, Virginia Ann Goettler; his five children, Daniel Goettler and his wife Tracy, Kevin Goettler and his wife Ann, Larry Goettler, Karen Young and Timothy Goettler and his husband Scott Gabriel; his 12 grandchildren, Katie, Brittany, Patrick, Megan, Holly, Matthew, Emily, Grant, Cullen, Spencer, Rachel and Andrew; his 6 great grandchildren, Carter, Madilyn, Eliana, Evangeline, Daniel and Camden; his nieces and nephews; and the rest of his relatives and friends.

Memorial donations may be made to VNA Hospice, 115 Technology Drive, Butler, Pennsylvania 16001 or The Musical Theatre Guild of Butler, P.O. Box 2001, Butler, Pennsylvania 16003.

It's with sadness that we inform you that former MBDA Treasurer **Aloysius (Wishy) Rossi** passed away on January 30, 2019. Before retiring, Wishy was President of D.B. Rossi Beverage Company in Hazleton and was a distributor for Anheuser-Busch products from 1955 until he retired in 1999. For many years, he served as Treasurer of the Malt Beverage Distributors Association of Pennsylvania and as a board member of the National Beer Wholesalers Association.

Surviving are his son, Joel Rossi, of Resort Beverage in Tannersville, and Joel's wife, Debra, Grandson Jeffrey Rossi and his wife Rachel, and great-granddaughter Hillary Rossi.

The family requests that donations be sent to: Helping Hands, 301 Rocky Road, Hazleton, PA 18201.

## Associate Members

MBDA's associate membership year runs from January 1 to December 31, 2019. The cost of becoming an Associate Member starts at only \$300.00 and is open to brewers, importers, allied trade suppliers, and professionals who supply products or provide services to beer distributors.

Our Association recognizes associate members as supporters of our industry and their names, addresses, phone numbers and products or services are noted in MBDA newsletters, in our on-line Buyer's Guide, and in our annual trade directory.

Manufacturers who are interested in applying for associate membership should return the application sent to you in January or you can go on-line to [mbdapa.org](http://mbdapa.org). Please call our Executive Office at 215-732-6258 with any questions.



## MBDA Offers Employee On-Line RAMP Training

All employees who work the register must complete RAMP server/seller training within six (6) months of being hired, unless the person had successfully completed the training prior to being hired or unless they were hired prior to August 8, 2016. Additionally, any employees who were hired prior to August 8, 2016 but are transferred into an alcohol service personnel position, such as working a cash register, on or after August 8, 2016, will need to secure RAMP server/seller training within six (6) months of assuming their new duties. RAMP training is good for two years.

MBDA provides an on-line Responsible Alcohol Management Program (RAMP) for beer distributor employees at the discounted rate of \$10/per employee. Members should call our Executive Office at 215-732-6258 to obtain their member code. Then go on-line to [www.mbdapa.org](http://www.mbdapa.org) and click on the "RAMP" tab at the top.

Owners and managers can schedule RAMP training by contacting the PLCB at 1-717-558-2160 or go on-line to [www.lcb.state.pa.us](http://www.lcb.state.pa.us).

### PNC Merchant Services

MBDA members receive the lowest possible fee schedule of interchange plus 5 basis points (.005) plus \$0.05 per transaction to process VISA, MasterCard, Discover and American Express. **We're pleased that our discounted processing program allows members to affordably accept all major card types.** Jammie Jones is our Association Relationship Manager at PNC Merchant Services. MBDA members should contact her with questions or concerns. She can be reached by phone 717-597-4786 or e-mail [Jammie.jones@pnc.com](mailto:Jammie.jones@pnc.com).



## MBDA Members Are Urged to Fill Director Vacancies

The business and affairs of the Association are managed by a Board of Directors.

Vacancies exist in the following districts: District #1 (Philadelphia County); District #3 (Adams, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Perry & York Counties); District #4 (Allegheny, Beaver, Fayette, Greene, Washington, Westmoreland Counties); District #5 (Bedford, Blair, Cambria, Centre, Fulton, Huntingdon, Mifflin & Somerset Counties); District #6 (Columbia, Montour, Northumberland, Snyder & Union Counties); District #7 (Armstrong, Butler, Cameron, Clarion, Clearfield, Elk, Forest, Indiana & Jefferson Counties); District #10 (Delaware & Montgomery Counties); District #11 (Bucks & Chester Counties); District #12 (Bradford, Clinton, Lycoming, Potter, Sullivan & Tioga Counties).

MBDA members who are interested in serving as a director are asked to please call the Association's Executive Office at 215-732-6258.

## Slushies/Growlers Guide

A private opinion issued by the PLCB, Office of Chief Counsel on August 28, 2018 again confirmed that malt or brewed beverages sold at an increased temperature from a slushy machine by a distributor are legal.

Specifically, a beer distributor asked if the following method of selling slushies was legal:

"The machine refrigerates and stores the product which eventually becomes a slurry of frozen crystals. The frozen beverage, which would not contain any other substance, would be dispensed into refillable plastic cups before being sealed with custom lids and then sold for off premises consumption. A label will be attached to the cup indicating the name of the malt beverage, the alcohol content, the date of sale and the [Surgeon General's] warning... [and] the machines would be located behind a counter in an area only accessible by employees."

The PLCB indicated this method of selling slushies was legal as a "growler" so long as all the following were true:

1. The product is sold for off-premises consumption only (i.e., not to be consumed on the Distributor's premises),
2. There is no mixing of anything with the malt or brewed beverage (not even ice), and
3. The Distributor must use a refillable container that can be resealed. In this case, the use of refillable plastic cups sealed with custom lids was permissible.

The Distributor was also advised to check with its local authorities to determine whether there were ordinances in effect pertaining to open and/or resealed containers of alcohol.



## MBDA Legal Update

The following are examples of the updates that MBDA counsel provides our members on a regular and timely basis. Non-members—please give serious consideration to joining MBDA, so that you too can enjoy this valuable service and receive up-to-the-minute information as it's happening.

**Beer Containing CBD:** We have been asked by several distributors about the legality of selling beer which contains CBD. Certain CBD products are legal under state laws. For example, in Pennsylvania, CBD with a THC level under .03% and certain products with industrial hemp fiber produced from the stalks, oil or cake made from the seeds of the plant are legal under the state's Industrial Hemp Program. The law is a little murky, however, when CBD is added to foods and introduced into interstate commerce. We have seen the PA Department of Agriculture and the Federal Alcohol and Tobacco Tax and Trade Bureau (TTB) warn that certain CBD products may be illegal. In fact, the TTB has issued several cease and desist letters to manufacturers of CBD infused beer in recent years. However, last week Congress passed the U.S. Farm Bill, which, among other changes, legalized hemp in the United States. Hemp, which is a strain of cannabis that is often confused with marijuana, is a critical component of CBD products. With the passage of the Farm Bill, it seems that hemp-based CBD products may now be legal under federal law. Assuming this interpretation is correct, the path has been cleared for more TTB approvals of beer recipes which include CBD. We will continue to monitor this issue, but distributors should expect to see a boom in malt and brewed beverages containing CBD in the near future.

**CBD Products:** The PLCB has declined to opine on CBD products and, as of now, they have taken the position that they are not covered by Advisory Notice #9. We have checked with the PA Dept. of Health and have been told it is not legal to mix CBD with food or drink and introduce

those products into interstate commerce. We would say – AT BEST – this is a gray area, but from what we have seen these products are probably illegal for distributors to sell at this time.

### **PLCB Clarifies Requirement for R, H and E Licensees:**

The law is clear that R, H and E licensees are required to have sufficient seating and food for at least 30 patrons on premises. Recognizing there is no definition for the term “food” in the Liquor Code, the PLCB has attempted to clarify what the term “food” means for retail licensees. Based upon case law which has developed over the years, the PLCB recently clarified that retail licensees must comply with the following: (a) a menu or similar indication of food available for on-premises consumption must be immediately and publicly accessible, (b) food must be stored in the licensed or unlicensed portion of the licensed business, or if the licensee has an interior connection to another business it operates, within the premises that houses the business, and (c) the licensee may establish hours of food availability, but food must be regularly and habitually available for patrons. Effective December 17, 2018, if licensees do not meet these requirements, they could be facing a period of closure.

**Home Delivery:** We have been asked several times recently what a beer distributor is required to do in order to deliver to people's homes. Pursuant to section 431(b) of the Liquor Code, a distributor license authorizes the holder thereof to sell or deliver malt or brewed beverages which have been purchased from licensed manufacturers or importing distributors to non-licensees anywhere within Pennsylvania. Thus, the license currently held by your distributorship already allows for home delivery of malt or brewed beverages, and there is no need to obtain an additional permit.

Pursuant to section 492(9) of the Liquor Code, distributors are only permitted to deliver or transport malt or brewed beverages in “vehicles bearing the name and address and license number of such licensee painted or affixed on each side of such vehicle in letters no smaller than two inches in height.”

Please note that it is unlawful for distributors to deliver or transport any malt or brewed beverages in a vehicle in which any other commodity is being transported without first obtaining board approval.

With regard to form of payment, it is permissible for distributors that are selling malt or brewed beverages to a non-licensed individual or entity to accept cash, checks, money orders, credit cards, gift certificates or debit cards as payment, so long as the payment is received on the licensed premises prior to delivery of the alcohol.

A distributor may only make sales of malt or brewed beverages on its licensed premises. A “sale” is defined as “any transfer of liquor, alcohol or malt or brewed beverages for a consideration.” Therefore, while a distributorship is permitted to transport and deliver malt or brewed beverages to a residence, the sale must have been completed (i.e. payment received) at the distributor’s licensed premises prior to such delivery. It would not be permissible for the non-licensed customer to pay the delivery person for the malt or brewed beverages at the time of delivery, in any payment form whatsoever.

Please keep in mind that, regardless of the location of the delivery of alcohol, the Liquor Code makes it unlawful to sell, furnish, or give any alcoholic beverages to any person who is visibly intoxicated or a minor. Section 493(1) also makes it unlawful to permit any alcoholic beverages to be sold, furnished, or given to any person who is visibly intoxicated or a minor. Your distributorship must comply with these restrictions when engaging in home delivery of malt and brewed beverages.

**Territorial Agreements:** Some of our members have received citations or warnings from the Bureau of Liquor Control Enforcement (BLCE) for failure to have copies of written territorial agreement posted near their liquor licenses in violation of Section 9.96 of the PLCB’s regulations. The penalty for such a charge has been relatively low (\$100-150 fine), but one of our members chose to fight his citation after consulting with MBDA and its counsel. The member and MBDA successfully argued that the regulations only required those who are parties to the agreement (i.e., the wholesaler and manufacturer) to maintain copies of the agreements on their licensed premises. The result was that the BLCE agreed and ultimately withdrew the citation.

**Distributors Accepting Cash from Licensees:** This is a reminder that it is still illegal for distributors to accept cash as payment for malt or brewed beverages from a licensee of the Board. Section 493(2) of the Liquor Code prohibits importing distributors or distributors who are delivering beer to other licensees

from accepting cash as payment. If a licensee of the Board wants to pay with cash, the licensee would have to prepay for the product and the transfer of funds must be made at the distributor’s premises prior (i.e., the day of, the hour before, etc.) to the delivery of the malt or brewed beverages. A licensee may not pay cash at a distributor location just prior to the distributor loading the distributor’s delivery vehicle, since that would not be prepayment, but payment by cash, which is impermissible.

**Games of Skill Machines:** There are a very narrow group of machines that are truly games of skill and have been determined by some trial courts to be legal. They are ones that involve skill more than chance like the game described in the Pace-o-matic case decided in Beaver County, PA. Keep in mind, however, that a decision by the Court of Common Pleas of one county is not binding on trial courts in other counties and so we would need a decision by an appellate court before advising members that any of these machines are legal.

It seems there are more and more of these “skill” games popping up and the state police are investigating them and making determinations on a case by case basis depending on the characteristics of each particular machine. The state police have admitted in testimony before the general assembly that enforcement of these skill games is getting more complicated. At the end of the day, it will come down to the officer’s judgment and then possibly the courts to determine whether skill or chance are the predominant feature of each type of machine. Considering this uncertainty, we cannot advise that these machines are legal and anybody who chooses to have them proceeds at their own risk.

Additionally, our members should be aware that more municipalities also have local rules and permits that apply to these machines. Finally, the PLCB could consider even a legal machine to constitute the operation of another business on a licensed premises (similar to ATM and lottery machines) and, thus, formal approval from the PLCB should be obtained.

**BLCE Enforcement:** We have noticed what appears to be an increase in citations and BLCE inspections over the past few months at all licensed businesses. The sample size is not large enough to identify with certainty the target of these investigations; however, we have seen a few violations on a recurring basis at beer distributors that we wanted to alert our members about, including: (i) failure to have non-smoking notices posted as required by the Clean Indoor Air Act (the CIAA requires no smoking signs or the international no smoking symbol to be prominently posted and properly maintained at all entrances), (ii) not maintaining an accurate perpetual inventory and failure to maintain other business records, and (iii) accepting cash from retail licensees. It is recommended that all distributors take the time to make sure they have their records in order and the proper policies in place; and be extra vigilant about complying with applicable laws.





## New MBDA Member Programs

**Discounted Distributor Web-Site:** MBDA is pleased to offer you another benefit of Association membership. Through our partnership with Sagapixel, a website designer based out of southern New Jersey, members pay only \$500 for Sagapixel to build a custom website for them. That's a significant savings over standard industry pricing! Their sites are optimized for speed. Customers will not have to wait more than a few seconds for your website to load.

Sagapixel thinks in terms of your business goals. Their objective is to design a website to drive visitors to your site and to turn those visitors into customers. They've helped many small businesses use their websites as a revenue-generating asset. Whether a visitor views your website on a smartphone, a laptop, or a desktop monitor, your website will display properly. And, you will have the option to host the site on your own hosting account or with Sagapixel for a small monthly fee.

There are no recurring "maintenance" fees. Your website will belong to you!

For more information, please contact Sagapixel's Frank Olivo by phone, 856-701-7947, or email, [frank@sagapixel.com](mailto:frank@sagapixel.com). He's interested in working with our members to develop their web presence and looks forward to hearing from you. If you'd like to take a look at their portfolio of recently-designed websites, please go to [www.sagapixel.com](http://www.sagapixel.com).

**Discounted Office Supplies & IT Equipment:** Russ Hayes of Pinnacle Business Products has been endorsed by MBDA to provide our members with deeply discounted pricing on their supplies and equipment purchases. Members can call Russ at 215-742-9002 or visit his web site at [www.pinnaclebuspro.com](http://www.pinnaclebuspro.com). Just click on the red Office Products tab for a full catalog. Russ would appreciate MBDA members sending him their top 5 -10 supply items for aggregate discounting. [rhayes@pinnaclebuspro.com](mailto:rhayes@pinnaclebuspro.com)

## Group Buying Power For MBDA Members

- ✓ **High insurance costs? Reduce them through MBDA's Business Insurance Program.** Penn National can save you money on the cost of your automobile, business owners, general liability, liquor liability, property, umbrella, and worker's compensation insurance. You'll be eligible to receive a dividend regardless of account size. In 2018, this program paid a 9 percent dividend back to its members. Any Penn National agent can place an MBDA member, so please contact your agent at your earliest opportunity.
- ✓ **Lower your credit card fees by enrolling in MBDA's processing program through PNC Merchants Services.** You'll receive the lowest possible fee schedule to process credit cards at only \$0.05 and 5 basis points (.005) per transaction. You'll incur no monthly statement fees and supplies are free of charge. Purchase the latest equipment at minimal cost or have your existing terminal re-programmed free of charge. Take advantage of our gift card program which can be a very effective promotional tool for your business.
- ✓ **Tired of paying high electricity bills? MBDA offers its members a program through Kinetic Energy.** Because of deregulation, everyone can "shop" the generation of portion of their bills. Associations get a better energy generation rate for members by combining member's generation needs together and shopping their total generation. Each member will continue to receive their own bill and be responsible for their own payment of the bills. Each member will still have their local utility company maintain and service the wires that carry the electricity to their business. Members will only be entered into an agreement with an energy generation supplier if the price secured is lower than the price currently offered by the utility company.
- ✓ **Get discounted pricing on your promotional giveaways through Networker.** This is an excellent and inexpensive way to advertise your business, even on minimum quantity orders. Invoicing takes place only after delivery. Request your free catalog with 1,000's of items to choose from.
- ✓ **Detect false ID's and protect yourself from receiving citations.** Receive discounted rates on electronic scanning devices through MBDA. Ray Swerdlow offers a selection of equipment with the latest technology.

Members who are interested in signing up for MBDA's discounted programs should call Stephanie Eckert at the Association's Executive Office, 215-732-6258 or email her at [mbdassn@aol.com](mailto:mbdassn@aol.com).

## Please Provide Your Email Address

MBDA members who have not provided us with their email address are missing out on the latest industry news as it's happening. E-newsletters are sent to members on a weekly basis and alerts are sent as needed. If we don't have your e-mail address, please send it to us at [mbdassn@aol.com](mailto:mbdassn@aol.com).

## MBDA Membership

**We thank our MBDA members for their continued support and vote of confidence.** You have enabled us to maintain a powerful voice in Harrisburg in representing the entire beer distributing industry. You have our guarantee that we will continue to work together in 2019 to promote the interests of all Pennsylvania beer distributors. Members should not hesitate to contact our Executive Office for industry advice or assistance. Call or write us if you have any ideas or suggestions that you believe will enhance the beer business.

Members have given MBDA increased group buying power. You make it possible for us to offer discounted programs to make and save money for our members. If you don't agree that the savings you experience through our programs more than pays for your membership dues we will gladly refund your money.

**We ask non-member distributors to please give serious thought to joining MBDA, and an invoice is enclosed for your use.** All distributors have similar goals and share a common agenda—grow your business and keep case beer sales out of supermarkets and convenience stores. By becoming an MBDA member you give us even more power and influence in taking our message to our state lawmakers. Greater membership will help us continue to lobby for industry legislation beneficial to beer distributors and defeat those bills which are harmful to you.



## Distributor Recaps

Every distributor reading this should:

- Contact your State Senator and Representative and thank them for permitting you to give your customers even better service by way of single, 6-pack and 12-pack sales. At the same time, tell them why you oppose unlimited beer sales by supermarkets, convenience stores and gas stations. You're a voting constituent and our lawmakers want to hear your concerns.
- If you're not already a member, join MBDA. We make sure your concerns and your voices are heard and understood in Harrisburg.
- Write a personal check to DISPAC, MBDA's Distributors Political Action Committee. This enables us to show support for our state lawmakers who have our interests and goals in mind
- Come to MBDA's May 4 & 5, 2019 Convention at the Kalahari Resort. Contact Kalahari to make your room reservations by April 10th and send MBDA your registration form before April 19th.

