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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

October 20, 2011

Patrick J. Stapleton, III, Chairman
Pennsylvania Liquor Control Board
502 Northwest Office Building
Harrisburg, PA 17124

Re: Regulation #54-66 (IRRC #2911)
Pennsylvania Liquor Control Board
Brewery Pubs

Dear Chairman Stapleton:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Silvan B. Lutkewitte, III
Chairman
sfh
Enclosure

cc: Honorable John R. Pippy, Majority Chairman, Senate Law and Justice Committee
Honorable Jim Ferlo, Minority Chairman, Senate Law and Justice Committee
Honorable John Taylor, Majority Chairman, House Liquor Control Committee
Honorable Dante Santoni, Jr., Minority Chairman, House Liquor Control Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held October 20, 2011

Silvan B. Lutkewitte, III, Chairman
George D. Bedwick, Vice Chairman
John F. Mizner, Esq.
Lawrence J. Tabas, Esq.

Regulation No. 54-66 (#2911)
Pennsylvania Liquor Control Board
Brewery Pubs

On September 7, 2011, the Independent Regulatory Review Commission (Commission) received this regulation from the Pennsylvania Liquor Control Board (Board). This rulemaking amends 40 Pa. Code § 3.92. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking amends the Board's existing regulations to allow beer produced at one brewery to be sold at a brewery pub that is not physically adjacent to it as long as the brewery and brewery pub are under common control.

We have determined this regulation is consistent with the statutory authority of the Board (47 P.S. § 2-207(i)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.



A handwritten signature in black ink, appearing to read "Silvan B. Lutkewitte, III".

Silvan B. Lutkewitte, III, Chairman