

# Comments of the Independent Regulatory Review Commission



## Pennsylvania Liquor Control Board Regulation #54-101 (IRRC #3255)

### Cleaning of Malt or Brewed Beverage Dispensing Systems

May 19, 2020

We submit for your consideration the following comments on the proposed rulemaking published in the March 21, 2020 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Pennsylvania Liquor Control Board (Board) to respond to all comments received from us or any other source.

#### **1. Section 5.51. Cleaning of malt or brewed beverage dispensing systems. – Protection of the public health, safety and welfare.**

Subsection (c) changes the frequency of required cleaning of malt or brewed beverage dispensing systems from once every seven days to once every 14 days. While the PA State Police Bureau of Liquor Control Enforcement (Bureau), the agency responsible for enforcing the Board's regulations, supports the proposed change, the Bureau asks the Board to evaluate the public safety aspect and consider a more comprehensive change to the final regulation. The Bureau states that "the timeframes between cleanings and the methodology used for such cleanings are important . . . ." The Bureau cites examples of the need to disassemble and hand scrub certain parts and other specific cleanings that are recommended quarterly and semi-annually. Is there a need to provide specific cleaning requirements as a result of lengthening the timeframe for cleaning a dispensing system? We ask the Board to explain how the timeframes and cleaning requirements in the final regulation adequately protect the public health, safety and welfare.

#### **2. Miscellaneous clarity.**

The Board states in response to Regulatory Analysis Form (RAF) Question #19, regarding costs and/or savings to the regulated community, that dollar estimates are not available. However, the Board provides an estimate of the costs and savings of the regulation in response to RAF Question # 23. We ask the Board to update its response to RAF Question #19 in the final regulation.