

BRINGING LIQUOR INTO PENNSYLVANIA AFTER A VACATION OUTSIDE THE COUNTRY

Please be advised that it is the Pennsylvania State Police, Bureau of Liquor Control Enforcement (“Bureau”), and not the Pennsylvania Liquor Control Board (“Board”), which enforces the liquor laws in Pennsylvania. Further, information provided below is not binding on the Bureau and is offered for information and guidance only.

Generally, bringing any liquor (including wine) into Pennsylvania is illegal, with limited exceptions. Section 491(11) of the Liquor Code prohibits any person other than the Board, the holder of a sacramental wine license, importer’s license, or a direct shipper’s license, from bringing alcohol into Pennsylvania. [47 P.S. § 4-491(11)]. Similarly, sections 491(2) and 505.4(b) of the Liquor Code prohibit any person other than the Board, a manufacturer, the holder of a sacramental wine license, or of an importer license, from possessing or transporting any liquor or wine within the Commonwealth of Pennsylvania which has not been purchased from a Pennsylvania wine and spirits store or a Board-licensed limited winery or limited distillery. [47 P.S. §§ 4-491(2), 5-505.4(b)].

Any individual may import into Pennsylvania liquor or wine (up to one (1) gallon) free of tax and mark-up, if that liquor or wine was purchased outside the United States. [47 P.S. § 4-491(2)]. The purchaser must produce, at the Board’s request: (1) the ticket stub or receipt for passage or other satisfactory evidence to prove foreign travel, (2) a receipt evidencing purchase of the liquor in the foreign country, and (3) an affidavit indicating that the purchaser was allowed to bring the liquor in duty-free. [40 Pa. Code § 9.82].

Liquor or wine imported in excess of one (1) gallon, in addition to the documentation and service charge requirements, is also subject to mark-up by the Board and state taxes to the extent that it can otherwise be lawfully imported. [40 Pa. Code § 9.83]. Once the necessary documents are filed and charges paid, a consent certificate approving the importation would be issued.

If the liquor an individual wishes to ship from a foreign country to Pennsylvania does not exceed one (1) gallon in volume, it may be brought into Pennsylvania from overseas, pursuant to section 491(2) of the Liquor Code [47 P.S. § 4-491(2)]. Because an individual must show that he/she

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purchased the liquor in a foreign country or United States territory, a receipt is required reflecting the purchase, plus the other information specified in section 9.82 of the Regulations mentioned earlier. If the liquor is more than one (1) gallon, an individual would have to comply with the general rules mentioned above.