

# Participant Manual

## Server/Seller Training Component



### Promoting Responsible Service and Sale of Alcohol in the Commonwealth of Pennsylvania



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# **Pennsylvania Liquor Control Board Overview**

Created by the Pennsylvania General Assembly in 1933, the Pennsylvania Liquor Control Board has played a significant role in the lives of Pennsylvanians for more than 75 years.

A legislatively mandated “quota” system limits the number of licensed on and off premises beverage alcohol businesses. This quota is based on a ratio of one retail license for every 3,000 inhabitants within any county and one wholesale license for every 30,000 inhabitants of a county.

Pennsylvania’s Wine and Spirits Store system is a self-supporting system that transfers all profits and taxes collected to the Pennsylvania State Treasury. Since the creation of the agency, over \$9 billion has been transferred to the General Fund. As the nation’s largest purchaser of wine and spirits, the PLCB is nationally recognized as a leader in the industry. Operating with a “zero tolerance” policy on sales to minors and intoxicated persons, employees perform over 1,085,000 minor challenges annually. Information on the responsible use of alcohol for adults of legal drinking age is regularly distributed through the stores.

Today’s PLCB is a modern, dynamic organization which consistently strives to serve the public interest as it fulfills its three-pronged mission of regulation, retail sales and customer service, and alcohol education.

## **Meeting the Challenges of Social Responsibility and Profitability**

Our mission is to administer the Commonwealth’s beverage-alcohol industry through our stores and our licensees; promote responsible beverage-alcohol consumption; provide customers with access to the world of beverage alcohol through product availability and information, and courteous and knowledgeable service; and to maximize returns to the people of Pennsylvania.

## **Ongoing Commitment to Control**

While the PLCB has adopted a more consumer-oriented, market-driven approach to its retail operations, its commitment to control beverage alcohol sales remains firm. A zero tolerance policy on sales to minors and intoxicated adults has always been the standard.

Today’s PLCB store employees comprise a well-trained workforce of adults who have no financial incentive to sell more beverage alcohol. Employees can lose their jobs for unlawful sales to minors and visibly intoxicated persons. Employees are trained on the specific provisions of the law pertaining to attempted purchases by minors and intoxicated adults. Employees also learn the necessary skills to recognize legally acceptable “proof of age” identification, evaluate age characteristics of patrons, and detect visible signs of intoxication. In order to provide good customer service, the store hours of most Fine Wine and Good Spirits Stores correspond closely to local retail business and community standards. However, no Fine Wine and Good Spirits Store is open after 10:00 P.M., emphasizing the agency’s commitment to responsible service for all citizens of Pennsylvania.

## A History of the PLCB

- The “Noble Experiment” of Prohibition came to an end in the United States with the passage of the 21st Amendment to the U. S. Constitution. The Pennsylvania Liquor Control Board was officially organized on December 1, 1933, just four days before the sale of alcohol became legal in Pennsylvania after the repeal of prohibition.
- On December 5, 1933, the first day alcohol could legally be sold, more than 600 food establishments already had licenses.
- The first 63 state liquor stores and five warehouses opened on January 2, 1934.
- In its first month, the PLCB had sales of \$1,796,977.
- In April, 1934, four district enforcement offices were opened.
- The PLCB opened its first self-service store in 1969.
- In June, 1980, the PLCB opened a state liquor store within the confines of the Joseph Horne & Co. department store in downtown Pittsburgh. A second “store within a store” opened in the Boscov’s department store in Wilkes-Barre in November, 1981. The Pittsburgh store remained open for 13 years. The Wilkes-Barre store was open for nearly 11 years.
- Following an earlier experiment with debit cards in selective stores, the Board began accepting credit cards in all of its stores in 1987.
- Legislation enacted in 1987 mandated major changes at the PLCB. Responsibility for liquor law enforcement was transferred from the PLCB to the Pennsylvania State Police, although enforcement was still to be funded by the PLCB. The Office of Administrative Law Judge, the Bureau of Consumer Affairs, and the Bureau of Wines were all created.
- The first PLCB “Superstore” was opened on August 23, 1990 in Allentown. These stores are now known as Premium Collection stores.
- The Responsible Alcohol Management Program, or RAMP, a voluntary responsible service training program for licensees, was launched in early 1993. In June of 2001, the program was extensively revised, due to legislative mandate.
- In November, 1994, the Bureau of Alcohol Education was established.



# Introduction

As a server of alcohol, you play a key role in managing alcohol consumption amongst your patrons. You can help keep customers from becoming intoxicated and help prevent youth from obtaining alcohol, both of which play a major role in reducing the risk of alcohol-related incidents and liability.

By the end of the training, you should be able to distinguish between legal duties, house duties, and professional duties. You are required by law to follow legal duties and by your management to follow house duties. You decide which professional duties you will do because you feel something is ethically or socially important.

This training will provide you with the tools you need to help you serve alcohol responsibly. You will learn how to recognize visible signs of alcohol impairment, ways to refuse service to a patron, and how to spot a fraudulent form of identification (ID).

Today's Server/Seller Training is one of five components that must be completed in order for an establishment to eventually become RAMP certified.

## WHAT IS RAMP CERTIFICATION?

Legislation enacted June 18, 2001 established the Responsible Alcohol Management Program, which is a **voluntary** certification that provides incentives for licensees who participate and complete five components. Act 26 of 2006 requires any licensee who has been found guilty by the Administrative Law Judge of sales to minors or visibly intoxicated persons to comply with RAMP for a period of up to one year. A licensee may also be mandated to complete RAMP as part of a conditional licensing agreement (CLA). RAMP is the umbrella term used to describe this collection of training and resources available to licensees and their employees. Completion of the program provides certification to the licensed establishment for two years. In order to comply, the establishment must complete all parts of the program, which include: ***Owner/Manager Training, Server/Seller Training, New Employee Orientation, Signage, and Request for Certification.***

### 1. Owner/Manager Training

In order to comply with this component, an owner and/or the PLCB approved manager must attend a free training that is offered by the Pennsylvania Liquor Control Board. These trainings are offered throughout the Commonwealth in various locations.

A list of all scheduled trainings can be found on our website at [www.lcb.state.pa.us](http://www.lcb.state.pa.us) (click on Alcohol Education, RAMP Quick Links, Owner/Manager Trainings).

### 2. Server/Seller Training

This component is the focus of today's training. In order to fulfill this requirement, at least 50% of the licensee's alcohol service staff must attend. Included in that group is anyone who serves alcohol and/or checks IDs, as well as owners and managers. This percentage must be maintained at all times. Trainees are required to complete a course examination and must receive an 80% or better in order to receive credit for participating in this course.

The Server/Seller Training must be conducted by independent trainers who have been approved by the PLCB. A list of all approved trainers is available on our website at [www.lcb.state.pa.us](http://www.lcb.state.pa.us) (click on Alcohol Education, RAMP Quick Links, PLCB Approved Independent Server/Seller Trainers). The list changes periodically, therefore, please make sure you have an up to date list before scheduling training.

### 3. New Employee Orientation

The third component consists of orientation for all employees. The PLCB will provide the orientation form and appropriate learning materials. It is the sole responsibility of the licensee to ensure that either the owner, manager, or a designated instructor conducts the orientation. Licensees shall maintain these records consisting of the name of the employee, date of hire, date of orientation, and the name of the individual who conducted the orientation.

#### **4. Signage**

The fourth component consists of displaying posters or signs regarding responsible alcohol service. Appropriate signage is available from the PLCB. However, the licensee may use other signage, providing that it is equivalent size, number and content of the PLCB's signage. Signage must be prominently displayed so that it can be easily observed by patrons. Licensees shall be responsible for posting and maintaining the signage at all times.

Signage shall minimally include the following information:

- a. Acceptable forms of ID; and
- b. Refusal of alcohol service to minors and visibly intoxicated patrons.

#### **5. Request for Certification**

After completion of all four listed requirements, the fifth and final component requires the licensee to contact their Regional RAMP office to request RAMP certification.

### **Maintaining Compliance**

Once the establishment has become RAMP certified, it's up to management to maintain compliance.

- If an owner or manager who participated in the Owner/Manager Training changes, the new (or another) owner/manager has 60 days to complete training.
- If the number of server/seller trained employees falls below 50%, additional employees must be trained within 60 days.
- It is recommended that the new employee orientation be completed on or before the first day of employment as a member of the licensee's alcohol service staff but must be completed within 30 days of his/her hire date.
- Add all new employees to the alcohol service staff roster.
- Maintain posting of signs at all times.

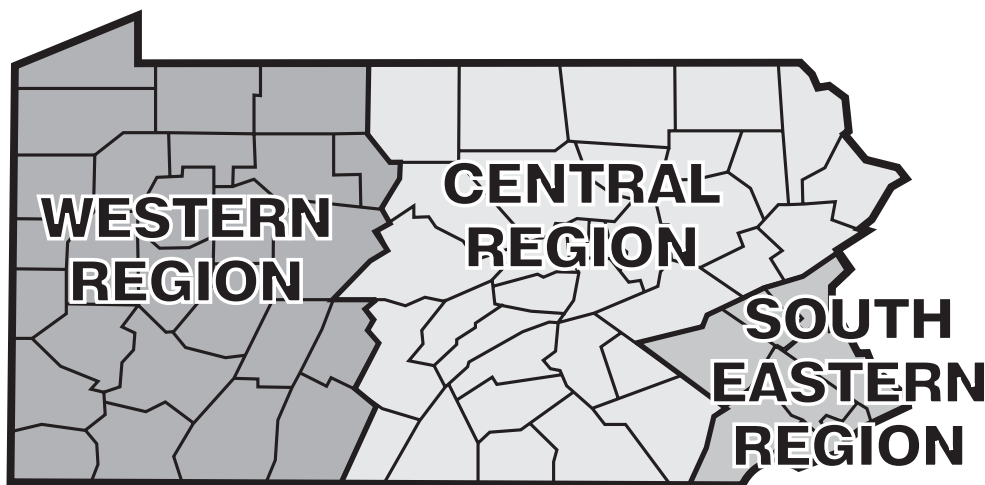
**Note: Failure to maintain the above guidelines may void your certification.**

## Benefits To The Licensee Include:

- Possible reduction in the fines and penalties issued by the Administrative Law Judge to the licensee for serving a minor or a visibly intoxicated patron, as long as the licensee was in compliance at the time of the violation and had no citations for either of those two violations in the previous 4 years.
- Possible liquor liability insurance discount.
- Knowledgeable, well-trained alcohol service staff and management.
- Recognition as a responsible licensee in your community.
- Less likelihood of Dram Shop liability.

## How to become RAMP certified

The first step in becoming RAMP certified is obtaining training for your alcohol service staff, owner(s) and manager(s). Contact your Pennsylvania Liquor Control Board RAMP regional office to obtain a list of approved server/seller trainers and to inquire about owner/manager training dates.



Western Pennsylvania  
(412) 723-0109

Central Pennsylvania  
(717) 558-2160  
1 (866) 275-8237

South Eastern Pennsylvania  
(610) 940-1217

*\*These numbers are subject to change, in that event dial 1 (866) 275-8237*

Through RAMP, the PLCB offers a way for licensees to reduce the risks associated with the service of alcohol. By working together, the PLCB and licensees can make a difference in improving the safety of our highways and communities across the commonwealth.

# LIABILITY CONCERNS

## Administrative Liability

The Pennsylvania Liquor Code makes it illegal for licensees or their servants, agents, or employees to serve alcoholic beverages to visibly intoxicated patrons and minors. Violations of the law by licensees may result in fines from \$1,000 to \$5,000 (unless at the time of the sale, licensee was RAMP-certified and had not sold to VIPs or minors in the previous four years, then licensees' fine would be from \$50 to \$1,000); suspension or revocation of license; and mandated RAMP training.

This is often referred to as "strict liability" because licensees are always responsible for the actions of their employees even when the licensee is absent.

## Criminal Liability

If a licensee or employee sells to a visibly intoxicated person or minor, he/she could be fined up to \$5,000 and/or be imprisoned from 3 months to 1 year. Otherwise, any other person who violates any provision of Article IV of the Liquor Code commits a misdemeanor and could be fined from \$100 to \$500.

Additionally, persons who sell or furnish alcohol to minors can also be prosecuted criminally under the Pennsylvania Crimes Code. Anyone convicted of willfully and knowingly selling or furnishing alcoholic beverages to a minor faces a minimum fine of \$1,000 for the first offense and \$2,500 for each subsequent offense, as well as a possible jail term of up to one year for each offense.

Dram Shop liability is commonly called third party liability because the lawsuit involves three parties:

- **1st party = the licensee and/or server**
- **2nd party = the minor/intoxicated patron**
- **3rd party = the victim**



## Civil Liability

Dram shop is a legal term in the United States referring to a bar, tavern, or the like where alcoholic beverages are sold. Traditionally, it referred to a shop where spirits were sold by the dram, a small unit of liquid.

Dram Shop cases have resulted in verdicts rewarding substantial amounts of money to those parties involved. Violators have been successfully sued for everything they owned including their businesses and houses, and other personal property. The Liquor Code provides that no licensee shall be liable to third persons on account of damages inflicted upon them off of the licensed premises by customers of the licensee, unless that customer was sold, furnished, or given alcohol by the licensee or its servants, agents, or employees, when that customer was visibly intoxicated.

### KEY FACT:

**A lawsuit can be filed up to two years from the incident.**

**1. What kind of incidents should be documented?**

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**2. Who should complete the form and when?**

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**3. What are some reasonable efforts you can make?**

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## DOCUMENTATION

The best protection against liability lawsuits is to not serve alcohol to visibly intoxicated persons or to minors. For additional protection, licensees and servers should keep a daily record of events in their businesses. Do not rely solely on your memory to help you. An excellent tool to accomplish this is the Incident Documentation Form. The Incident Documentation Form can provide a defense in the event a lawsuit is filed.

When completing the form, be sure to:

- Only include the facts and not your opinion;
- Write detailed statements which include the date, time, and any witnesses to the event;
- Be sure to list any reasonable efforts you made to prevent the situation.

Daily, consistent entries—even when there are no problems—demonstrate responsible business practices. A daily record provides other valuable business information, such as customer trends, requests or complaints, employee relations, and more. This can be a useful tool in improving the business.

Be sure to inquire where your establishment's Incident Documentation Forms can be found, under what circumstances they should be completed and where they are to be filed.

### KEY FACT:

**Incident records should be kept for at least two years following an incident because lawsuits can be filed up to two years after an event.**

# INCIDENT DOCUMENTATION FORM\*\*



Responsible  
Alcohol  
Management  
Program



Date \_\_\_\_\_ Time \_\_\_\_\_ AM/PM

**Patron Name** \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Employer \_\_\_\_\_

Age of the person \_\_\_\_\_ Verified or Approximated (circle one)

Physical Description of Patron \_\_\_\_\_

1. Was the patron's ID checked? Yes \_\_\_ No \_\_\_ By Whom \_\_\_\_\_

Type of ID presented \_\_\_\_\_ Number \_\_\_\_\_

\*Check method of documentation used.  931 Declaration of Age Card  Photocopy

Video  Polaroid  I.D. Swipe Machine

2. Time the patron arrived \_\_\_\_\_ AM/PM Time departed \_\_\_\_\_ AM/PM

3. Where was the patron before your place? \_\_\_\_\_

4. Number and types of drinks served: \_\_\_\_\_

5. In what amount of time were the drinks served? \_\_\_\_\_

6. Was the patron injured? Yes \_\_\_ No \_\_\_ Describe the injury \_\_\_\_\_

Was medical attention given? Yes \_\_\_ No \_\_\_

Was hospitalization needed? Yes \_\_\_ No \_\_\_

How did the patron contribute to the injury? \_\_\_\_\_

7. Were law enforcement authorities called? Yes \_\_\_ No \_\_\_

Time of the call \_\_\_\_\_ AM/PM Who made the call? \_\_\_\_\_

Name(s) of the officer(s) responding: \_\_\_\_\_

8. Did the patron drive from the establishment? Yes \_\_\_ No \_\_\_

9. Auto Make \_\_\_\_\_ Model \_\_\_\_\_ Color \_\_\_\_\_ License Number \_\_\_\_\_

10. If the incident occurred outside, describe weather conditions: \_\_\_\_\_

11. Describe the incident, (including eyewitness accounts) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Employee Name** \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Signature \_\_\_\_\_

**Witness #1 Name** \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Signature \_\_\_\_\_ Employer \_\_\_\_\_

**Witness #2 Name** \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Signature \_\_\_\_\_ Employer \_\_\_\_\_

Signature of person completing the form \_\_\_\_\_ Date \_\_\_\_\_

\* This form is not a legal substitute for the PLCB-931 Declaration of Age Card.

\*\* This form may be duplicated without the permission of the Pennsylvania Liquor Control Board.

**1. Who enforces the Liquor Code?**

\_\_\_\_\_

**2. Who creates the laws that are in the Liquor Code?**

\_\_\_\_\_

## THE LIQUOR CODE

The Liquor Code is a governing body of law applicable to every licensee in Pennsylvania. Licensees and employees alike are responsible to know and follow the Liquor Code. Failure to do so could result in a citation for both the owner and employee.

## BOARD REGULATIONS

The Board established regulations to implement the Liquor Code and explain how it will apply its practices and procedures.

## HOUSE POLICIES

Every establishment should have a written set of rules, beyond the Liquor Code, called House Policies. Having written policies can greatly reduce your risk of liability and avoid violations.

House policies are created typically by the owners or managers of licensed establishments. They are the “rules” of the establishment beyond the Liquor Code. Often times, they are more stringent than the Code. House policies cover a wide variety of topics. Some topics to consider are, how to handle minors and VIPS, where minors can sit, last call, number of drinks to serve one person, to name a few.

Written policies will guide you on how to manage tough situations. The goal here is to get everyone on the same page and handle situations in a similar fashion.

**1. What are some of your house policies?**

**Minors:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**VIPs:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**2. What policies would you like to see implemented where you work?**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## KEY FACTS:

**All licensees/employees must adhere to everything in the Liquor Code and Board Regulations.**

**House Policies can be changed at any time.**

## CLUB BYLAWS

The Board’s regulations require that private clubs adhere to their constitutions and bylaws. If a club does anything contrary to what is stated in those documents, they can be cited by the Pennsylvania State Police, Bureau of Liquor Control Enforcement (PSP BLCE).

**Note: Club bylaws can not be changed without going through the proper steps as determined by the club’s constitution and charter.**

## WHAT IS ALCOHOL AND HOW IS IT ABSORBED?

Alcohol is:

- A central nervous system (CNS) depressant
- Absorbed into the bloodstream through the lining of the small intestine
- Of no nutritional value but contains calories

1. What helps to slow down the absorption of alcohol?

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### Absorption Rate Factors

There are many factors which contribute to how quickly alcohol is absorbed, such as:

- **Body Size** \_\_\_\_\_  
\_\_\_\_\_
- **Body Type** \_\_\_\_\_  
\_\_\_\_\_
- **Gender** \_\_\_\_\_  
\_\_\_\_\_
- **Amount Consumed/Time** \_\_\_\_\_  
\_\_\_\_\_
- **Concentration of Alcohol** \_\_\_\_\_  
\_\_\_\_\_
- **Food** \_\_\_\_\_  
\_\_\_\_\_
- **Carbonation** \_\_\_\_\_  
\_\_\_\_\_
- **Other Drugs** \_\_\_\_\_  
\_\_\_\_\_

### KEY FACT:

Absorption may continue up to 90 minutes after consumption has stopped.



1. **1 + 1 = 3 is an example of what kind of drug interaction?**

Here are some examples of drugs that cause Antagonistic interactions, that is they reduce the effectiveness of the drug's ability to "do its job":

- Antibiotics
- Cardiovascular medications
- All blood-thinning medications (Anticoagulants)
- Medications for seizure disorder
- Medications for individuals with diabetes

## DRUG AND ALCOHOL INTERACTIONS

Many people do not realize how dangerous it is to mix alcohol with drugs. Whether they are prescription, over-the-counter, or illegal, mixing any drugs can result in a deadly combination, regardless if a person is a heavy or light drinker. If someone takes a time released medication and consumes alcohol, it is important to note that the alcohol may dissolve the coating, releasing the full dose all at once instead of over time.

Drug interactions may be:

**Additive:** An effect in which two substances or actions used in combination produce a total effect the same as the sum of the individual effects.

**Synergistic:** The capacity of two or more drugs acting together so that the total effect of these drugs is greater than the sum of the effects if taken independently.

**Antagonistic:** The effect of the drug is diminished in the presence of alcohol.

Below are some examples of interactions that can cause serious side effects:

- **Nonnarcotic pain relievers:** Medications such as aspirin or ibuprofen can cause stomach bleeding and inhibit blood from clotting. Alcohol use exacerbates these effects.
- **Antipsychotic medications:** Alcohol use can cause potential fatal breathing difficulties.
- **Antidepressants:** Certain types can cause a dangerous rise in blood pressure.
- **Sedatives and Hypnotics:** When mixed with alcohol, sleeping pills, tranquilizers, or anxiety medications (such as valium or ativan) can depress breathing functions.
- **Narcotic pain relievers:** When mixed with alcohol, the interaction enhances the drug's effect increasing the risk of death from overdose. Thus the mixture can cause a synergistic effect. These medications are often opium-based (demerol, codeine, morphine, percocet, and darvon).

When assessing the intoxication level of a patron, the server does not need to know the specific effects of drugs, whether legal or illegal drugs. What is important to know is that it is illegal to serve someone who is visibly intoxicated regardless of whether the visible intoxication resulted from alcohol, drugs, or a combination.

## ALCOHOL AND ENERGY DRINKS

1. How are alcohol and energy drinks typically served/ordered in your establishment?

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2. Do you have any house policies regarding alcohol and energy drinks?

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Energy drinks are beverages that typically contain several stimulants with the primary stimulant being caffeine. Mixing energy drinks with alcohol, usually a type of liquor has become increasingly popular among young adults over the past few years. As a result, energy drinks are commonly used as mixers for alcoholic drinks in bars and nightclubs.

According to the Centers for Disease Control and Prevention (CDC), when alcoholic beverages are mixed with energy drinks, the caffeine in these drinks can mask the depressant effects of alcohol. At the same time, caffeine has no effect on the metabolism of alcohol by the liver and thus does not reduce blood alcohol concentration or reduce the risk of alcohol-attributable harms.

As a server, it is important for you to understand what it is that you are giving to your customers.

Mixing energy drinks with alcohol can be extremely dangerous. Here are a few possible side effects to consider:

- **Increased risk for heart problems**—Energy drinks contain a much higher level of caffeine than other mixers, which can increase a person’s blood pressure and cause cardiac problems.
- **Nervous system issues**—When consumed, alcohol acts as a depressant which relaxes a person’s body, while energy drinks acts as a stimulant. Mixing a depressant and stimulant in your body can negatively affect the nervous system, causing potential harm.
- **Everyone’s body reacts differently**—Everyone will have a different reaction when combining energy drinks with alcohol. As a server, you do not know what type of medical issues your patrons have. They may not even know. If they have an unknown heart condition, consuming these drinks can trigger complications.
- **Effects of alcohol multiplied**—If a person consumes too much alcohol, they are likely to experience a hangover the next day. Many times symptoms such as nausea, headaches, and fatigue are increased if they consume energy drinks with alcohol.
- **Caffeine and other ingredients not regulated by the FDA**—Manufacturers of soft drinks, such as Coke and Pepsi, are limited by the FDA as to the amount of caffeine one beverage may contain. Energy drinks on the other hand, are exempt from the FDA regulation. Therefore, these types of drinks have unpredictable doses of caffeine and other ingredients in them. Since there is no hint on their labels as to the amounts of these ingredients per serving, they can lead to serious health effects especially when mixed with alcohol.
- **Causes a less intoxicated feeling**—Those who drink alcohol mixed with energy drinks tend to feel less intoxicated. This can allow a person to think they are not intoxicated, and consume more than their body can handle.

## 1. What is a standard serving of alcohol?

Beer: \_\_\_\_\_

Wine: \_\_\_\_\_

Liquor: \_\_\_\_\_



“A drink is a drink  
is a drink”

### Did You Know?

#### Alcohol also:

**Irritates** the linings of the stomach and intestine. This can lead to vomiting.

**Increases** blood flow to the stomach and intestines. This increases secretions by these organs, most notably stomach acid secretion.

**Increases** blood flow to the skin. This causes a person to sweat and look flushed. Sweating causes body heat to be lost, and the person’s body temperature may actually fall below normal.

**Reduces** blood flow to muscles and the brain. This can lead to muscle aches and headaches, most notably when a person recovers from the alcohol (the “hangover”).

## DRINK EQUIVALENCY

Drink equivalency is important for you to understand in order to serve alcohol responsibly. As a server, you want to count standard servings of alcohol, not drinks, because a drink can contain more than one standard serving of alcohol.

According to the National Institute on Alcohol Abuse and Alcoholism (NIAAA), “in the United States, a ‘standard’ drink is any drink that contains about 0.6-fluid ounces or 14-grams of ‘pure’ alcohol.” Standard drink equivalents are: 12-ounces of beer, 5-ounces of wine, and 1.5-ounces of 80 proof liquor, or 1-ounce of 100 proof.

### KEY FACT:

**For purposes of bar spending/free drinks, Board Regulations provide that a standard-sized alcoholic beverage is twelve (12) fluid ounces of malt or brewed beverage, four (4) fluid ounces of wine (including fortified wine), or one and one-half (1½) fluid ounces of spirits. [40 Pa. Code § 13.201]**

## HOW ALCOHOL IS ELIMINATED

After the alcohol has been absorbed and passes through the body, it must be eliminated. The liver is responsible for the elimination—through metabolism—of 95% of ingested alcohol from the body. The remainder of the alcohol is eliminated through excretion of alcohol in breath and urine.

Healthy people metabolize alcohol at a fairly consistent rate. As a rule of thumb, a person will eliminate one average drink or .5-oz (15 ml) of alcohol per hour. Several factors influence this rate. The rate of elimination tends to be higher when the blood alcohol concentration in the body is very high or very low. Also chronic alcoholics may (depending on liver health) metabolize alcohol at a significantly higher rate than average. Finally, the body’s ability to metabolize alcohol quickly tends to diminish with age.

### KEY FACT:

**There is nothing you can do to speed up the rate of metabolism. The more you drink, the longer it will take to eliminate the alcohol from one’s system.**



**A 120 lb female + 3 beers  
+ 1 hour = \_\_\_\_\_ BAC**

**A 160 lb male + 5 beers  
+ 2 hours = \_\_\_\_\_ BAC**

**1. At what BAC does it  
become illegal for minors  
to drive in PA? \_\_\_\_\_**

**2. At what BAC does it  
become illegal for CDL  
holders to drive in PA?**

**Commercial: \_\_\_\_\_**

**School vehicles: \_\_\_\_\_**

## **MEASURING INTOXICATION**

The common measures of intoxication are blood alcohol content (BAC) and visible intoxication.

- BAC is determined by chemical analysis of the blood, breath, or urine. BAC is the legal standard police and courts use to determine levels of intoxication.
- Visible intoxication is the standard servers must use in determining intoxication. That is, something that can be observed.

## **EXPLANATION OF BAC**

- BAC, or Blood Alcohol Content, is the amount of alcohol in the bloodstream.
- Consuming alcohol raises BAC.
- Allowing time to pass lowers BAC.
- Most alcohol consumed is metabolized by the liver.

## **TOLERANCE**

**Tolerance** is a person's ability to hide the signs of impairment.

### **KEY FACTS:**

**Tolerance does not mean that the guest is not intoxicated.**

**Chronic alcohol users can have twice the tolerance for alcohol as an average person.**

NEVER  
DRINK  
AND  
DRIVE

# ALCOHOL IMPAIRMENT CHART

APPROXIMATE BLOOD ALCOHOL PERCENTAGE	
Drinks	Body Weight in Pounds
	90 100 120 140 160 180 200 220 240
0	.00 .00 .00 .00 .00 .00 .00 .00 .00
1	.05 .05 .04 .03 .03 .03 .02 .02 .02
2	.10 .09 .08 .07 .06 .05 .05 .04 .04
3	.15 .14 .11 .10 .09 .08 .07 .06 .06
4	.20 .18 .15 .13 .11 .10 .09 .08 .08
5	.25 .23 .19 .16 .14 .13 .11 .10 .09
6	.30 .27 .23 .19 .17 .15 .14 .12 .11
7	.35 .32 .27 .23 .20 .18 .16 .14 .13
8	.40 .36 .30 .26 .23 .20 .18 .17 .15
9	.45 .41 .34 .29 .26 .23 .20 .19 .17
10	.51 .45 .38 .32 .28 .25 .23 .21 .19

**ONLY SAFE DRIVING LIMIT**

Impairment Begins  
Driving Skills Affected  
Possible Criminal Penalties

Legally Intoxicated  
Criminal Penalties

Your body can get rid of one drink per hour.  
Each 1½ oz. of 80 proof liquor, 12 oz. of beer or 5 oz. of table wine = 1 drink.

NEVER  
DRINK  
AND  
DRIVE

# ALCOHOL IMPAIRMENT CHART

APPROXIMATE BLOOD ALCOHOL PERCENTAGE	
Drinks	Body Weight in Pounds
	100 120 140 160 180 200 220 240
0	.00 .00 .00 .00 .00 .00 .00 .00
1	.04 .03 .03 .02 .02 .02 .02 .02
2	.08 .06 .05 .05 .04 .04 .03 .03
3	.11 .09 .08 .07 .06 .06 .05 .05
4	.15 .12 .11 .09 .08 .08 .07 .06
5	.19 .16 .13 .12 .11 .09 .09 .08
6	.23 .19 .16 .14 .13 .11 .10 .09
7	.26 .22 .19 .16 .15 .13 .12 .11
8	.30 .25 .21 .19 .17 .15 .14 .13
9	.34 .28 .24 .21 .19 .17 .15 .14
10	.38 .31 .27 .23 .21 .19 .17 .16

**ONLY SAFE DRIVING LIMIT**

Impairment Begins  
Driving Skills Affected  
Possible Criminal Penalties

Legally Intoxicated  
Criminal Penalties

Your body can get rid of one drink per hour.  
Each 1½ oz. of 80 proof liquor, 12 oz. of beer or 5 oz. of table wine = 1 drink.

## ALCOHOL AND THE BRAIN

Alcohol affects the way the brain works by impairing mental and physical functions. Impairment increases as the amount of alcohol in the blood (or BAC) rises. Different areas of the brain control different behaviors. As alcohol affects the major areas of the brain, certain changes occur such as relaxed inhibitions, impaired judgment, slowed reactions, and impaired coordination.

1. What are some signs of relaxed inhibitions?

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2. What are some signs of impaired judgment?

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3. What are some signs of slowed reactions?

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4. What are some signs of impaired coordination?

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As you can see from the chart below, judgment is one of the first behaviors affected.

### SAMPLE IMPAIRMENT

Approximate BAC	Impairment
.03%	Inhibitions, Judgment, Thought
.07%	Reaction time, Movement, Coordination
.08%	BAC when it becomes illegal to drive in PA
.12%	Vision, Speech, Balance
.19%	Walking, Standing
.38%	Unconsciousness

At BACs of .40% and above, hospitalization is probable and **death is imminent**.

**1. What are some common signs of impairment?**

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**VISIBLE INTOXICATION DEFINED**

As a server, you are not expected to know a customer’s BAC as determined by a breathalyzer test, however you are expected to recognize visible intoxication. “Visible intoxication” is a level of impairment that is evident upon common observation. This is the standard servers should use to decide if a customer is intoxicated. It is illegal for a licensee or any employee, servant, or agent of the licensee, or any other person, to sell, furnish, or give any alcoholic beverages, or permit any alcohol to be sold, furnished, or given, to any person visibly intoxicated.

Servers should use their skills and experience to decide whether a customer is intoxicated. For example, a quiet person who becomes loud while drinking might be a VIP. However, a person who is always loud and outgoing might not be a VIP.

**KEY FACTS:**

**It is illegal to serve alcohol to a visibly intoxicated person (VIP) or to allow a VIP to continue to consume alcohol.**

**There is no single indicator that will specifically identify visible intoxication.**

**1. What are “people skills?”**

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**2. What are some precautionary measures you can take to help minimize a customer’s chance of becoming intoxicated?**

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## PREVENTING INTOXICATION

As the alcohol server, you are the key to the prevention of excessive alcohol consumption. You deal directly with patrons and can best monitor an individual’s consumption of alcohol.

You should continually observe and talk with your customers to determine whether they are visibly intoxicated before serving them any alcohol as well as monitor any changes in their behavior. By preventing customers from becoming intoxicated and intervening when necessary through the use of good “people skills,” you play a major role in helping reduce the risks of alcohol-related incidents.

When it is determined that a guest is drinking fast, try offering food or nonalcoholic beverages. Keep water glasses filled and available. Take your time refilling a customer’s drink.

### Helpful Hints

- Chat with customers before serving them. Each time you go to their table, try to determine if they are intoxicated or at increased risk of intoxication because of mood, fatigue, medications, etc., or because they have been drinking somewhere else.
- Know and watch for the likely signs of visible intoxication, combinations of the signs, and changes in behavior.
- Know the general drink limits based on the BAC chart.
- Know how many standard servings of alcohol the glasses in your business hold.
- Count the number of standard servings of alcohol, not glasses, each customer has.
- Do not push drinks, wait until a customer finishes a drink before offering another.
- Serve one drink per person at a time.
- Check with co-workers before serving a customer they have already served.
- Watch the customer who orders doubles or more than one drink at a time.
- Slow alcohol service when a customer orders and drinks rapidly.
- Encourage customers to order food and nonalcoholic drinks.
- Offer water, coffee, or other nonalcoholic spacers between drinks.
- Don’t offer last call to persons approaching intoxication.
- Announce closing time instead of last call.



1. Who does the law prohibit you from selling/serving alcohol to?

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2. What are some examples of discrimination?

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## REFUSING SERVICE

Even with the best intentions and most responsible serving practices, you may occasionally encounter a customer who shows signs of visible intoxication. When this occurs, service of alcoholic beverages to that customer must be stopped immediately. This may occur with a customer who just entered your establishment whom you haven't served. As a server, you have the right to refuse alcohol to anyone, as long as you don't violate the Pennsylvania Human Relations Act.

### KEY FACT:

**The Pennsylvania Human Relations Act prohibits discrimination based on factors like race, gender, and ethnicity, you should take care not to unlawfully discriminate in choosing whom you refuse to serve or bar from the premises.**

A professional attitude and approach when cutting off or refusing service keeps you in control of the situation. Many professional servers use these guidelines when refusing service:

- **Be courteous and concerned.** People are more cooperative when they feel they are being respected and helped, rather than being put down. You might try a statement such as, "I want to see that you get home safely."
- **Be confident.** Confidence convinces people you are doing the right thing. Act confident even if you don't feel especially confident—no one will know the difference!
- **Be tactful.** Never accuse a customer of being intoxicated. State simply that you cannot serve more alcohol and offer an option, such as, "Why not make this one coffee?"
- **Be discreet.** Make every effort not to embarrass the customer in front of friends or business associates. If possible, speak to the person privately.
- **Be firm.** Do not allow the impaired customer to talk you out of the rational decision you have made. Use a phrase that gets the message across and stops an argument in its tracks like, "I'm sorry I can't serve you anymore—it's against the law."

**1. What are some ways to deal with difficult customers?**

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Occasionally it is difficult to cut off service. By being prepared, you can keep control of the situation even though an intoxicated customer may be hostile, threatening, and irrational.

**Helpful Hints**

A professional attitude and approach when cutting off or refusing service keeps you in control of the situation. Many professional servers use these guidelines when refusing service:

- When you cut off a customer, tell your manager and co-workers and keep a written record.
- When appropriate, take a co-worker with you when you have to refuse service or pull a drink.
- Make it clear you are in control without being overbearing and scaring off customers.
- Use peer pressure if possible by asking for support from the customer’s friends.
- When you pull the drink, have something to replace it with: a glass of pop, a cup of coffee, a plate of food, even just a glass of water is better than nothing.
- If at all possible detain the intoxicated customer who intends to drive by offering him/her food and nonalcoholic drinks to allow time to sober up.
- Offer alternative transportation to keep intoxicated customers from driving.
- If an intoxicated customer insists on driving, threaten to call the police and identify the driver and the vehicle.
- Follow through on your threat if the intoxicated customer drives away.

**DO NOT:**

- Bargain
- Debate
- Get defensive
- Give lengthy explanations

**INTERVENTION TECHNIQUES**

There are many intervention techniques and systems to count drinks and evaluate customers. Establishments and servers develop techniques that are effective and appropriate for them. The following guidelines will help you develop successful intervention practices.

Keep two principles in mind in choosing your words:

- Avoid “you” statements.
- Use “I” statements.

**Intervention Scripts**

Every situation is different and every difficult customer is unique, but here are examples of phrases you can use when you have to tell a customer you cannot serve him/her another drink. Variations of these statements may also work when you have to make a good faith effort to remove a drink or when you are dealing with a minor. Modify the details to fit the specific circumstances of your place of business and its customers.

**DO MAKE STATEMENTS THAT FOCUS ON THE LAW OR HOUSE POLICIES:**

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**DO MAKE STATEMENTS THAT EXPRESS CONCERN AND FOCUS ON THE CUSTOMER’S WELL-BEING:**

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# GROUP ACTIVITY

## Rating the Customer

It's important to rate the customer's behavior prior to serving him/her each drink to be sure he/she isn't visibly intoxicated. A common system to use is "GO, YIELD, STOP." These commands represent customers who are:



**GO**—Customers who are not exhibiting any signs of impairment and therefore are okay to serve.



**YIELD**—Customers who are on their way to becoming intoxicated based on their current behavior.



**STOP**—Customers who are exhibiting signs of impairment and therefore may not be served.

### Rate the Guest:

Below are a few scenarios. Please read them and indicate if the situation is a "GO," "YIELD," or "STOP."

1. Kim sits at the bar and orders a shot and a Long Island Iced Tea. After serving her, the bartender hears her say she needs to "forget about her bad day." \_\_\_\_\_
2. Sarah and Joan are enjoying their 'girl's night out.' \_\_\_\_\_
3. After a long night at work, John came into the bar, ordered a beer, and fell asleep. \_\_\_\_\_
4. Lindsey and Jeff have been bar hopping all night. \_\_\_\_\_
5. Kris, who is normally quiet, is yelling at people across the bar. \_\_\_\_\_
6. A couple is eating dinner, having a drink and talking. \_\_\_\_\_
7. After consuming a few drinks, a couple of women from a local softball team start to get loud, boisterous, and begin to argue. \_\_\_\_\_
8. Jack is sitting at the bar, consuming alcohol regularly for a couple of hours, appears to be "nodding," and lights his cigarette backwards. \_\_\_\_\_
9. Steve gets overly angry over a play on a televised sporting event. \_\_\_\_\_
10. Jane is singing along with the jukebox in a loud and/or animated way. \_\_\_\_\_
11. Kate is sitting at the bar for hours, drinking a few drinks, not eating, and appears upset. \_\_\_\_\_
12. As Bob leaves his barstool to go to the men's room he stumbles, slurs his speech, and has bloodshot eyes.  
\_\_\_\_\_

# GROUP DISCUSSIONS

## How to identify a visibly intoxicated person (VIP)

- Describe a nonintoxicated customer:

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- Describe behaviors of a person who is on his/her way to becoming visibly intoxicated:

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- Describe a person who is a VIP:

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## Responses to a VIP

- Things to say to a person not showing any signs of impairment:

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- Things to say to a person who is on his/her way to becoming a VIP:

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- Things to say a person who is a VIP:

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## MYTH AND FACT

**MYTH: “It’s OK to serve my 20-year-old daughter, I’ll be responsible for her.”**

**FACT:** It is illegal for anyone to serve a minor, even if it is his/her own child. A parent can be subject to fines under the Pennsylvania Crimes Code.

**MYTH: “My sixteen-year-old son would like to have a nonalcoholic beer with his meal.”**

**FACT:** Under the Pennsylvania Crimes Code makes it illegal to sell or furnish nonalcoholic beverages\* to any person under 21 years of age.

## MINORS

As an alcohol server, it is important to know and understand the law as it relates to minors. It is illegal for anyone under the age of 21 to attempt to purchase, purchase, possess or consume, or knowingly and intentionally transport alcoholic beverages. It is illegal for a licensee, or any other person, to sell, furnish, or give any alcoholic beverages, or permit any alcohol to be sold, furnished, or given, to any minor. When the laws regarding minors are violated, you the server may be held liable for the minor’s actions.

### Who and When to Card

We know it is not always easy to identify an underage person. A person’s characteristics, mannerisms, clothing, and facial make-up can be very misleading and give the impression of a much older and mature individual. For these reasons, it is recommended that anyone who appears to be under the age of 30 be considered a potential underage person and should be asked to provide proper identification and the licensee should document it.

### KEY FACT:

**\*“Nonalcoholic beverage” means any beverage intended to be marketed or sold as nonalcoholic beer, wine, or liquor. “Nonalcoholic beverages” usually contain .05% or less alcohol by volume.**

**1. What are the ABC's of fake IDs?**

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**Note:**

**If you suspect an ID to be altered, stolen, borrowed, or counterfeit, you have the right to, and should refuse service.**

**How well do you know your PA license?**



Use the **FEAR** method of carding!

**F** – Feel

**E** – Examine

**A** – Ask

**R** – Return

## Legally Acceptable ID

Under the Pennsylvania Liquor Code, the only legally acceptable forms of identification are:

- A valid photo driver's license issued by the Pennsylvania Department of Transportation or any other state;
- A valid photo identification card issued by the Pennsylvania Department of Transportation or any other state;
- A valid United States armed forces ID card that contains the holder's photograph;
- A valid passport, passport card, or travel visa which contains the holder's photograph.

### KEY FACT:

**All of the above IDs must be current and cannot be expired.**

Typically you will encounter three different types of fraudulent IDs commonly referred to as the ABC's of fake IDs.

### How to Card

To effectively identify ID fraud, IDs should be checked under good lighting. Some of the most common alterations are not always obvious. A lit magnifying glass can be extremely beneficial in uncovering discrepancies. When checking IDs, it is important to follow an established routine. Memorize the steps and use them, in order, every time you check an ID. An example of a routine approach called FEAR (feel, examine, ask, and return) follows:

#### First, FEEL

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#### Next, EXAMINE

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#### Then, ASK

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#### Last, RETURN

Or refuse service

## Proof of ID Presented

- **A PLCB 931 Declaration of Age Card** (see example)

While holding the ID, hand the person the 931 card and ask them to complete it.

- **Photograph**

Many licensees simply take a photograph of the ID. With a digital camera you can store many pictures on one memory card.

- **Photocopy**

Many licensees simply take a photocopy of the ID and have the patron sign next to the copy to verify the signature.

- **Transaction scan device**

Use FEAR method first; make sure the scanner stores the information. You may want to invest in a scanner that reads both bar codes and magnetic strips.

- **Other visual or video presentation of the identification card presented**

Make sure the camera is positioned in a manner that it could clearly see the ID that you are looking at, not just video surveillance.

### 1. What is “good faith?”

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**Note: One of these methods should be used each time you card someone, not just when you are suspicious of the ID.**

## Proof of Carding

You have just learned what types of ID are acceptable and some helpful carding tips. The quality of today’s altered, borrowed, and counterfeit IDs makes it imperative for you not to only card guests, but be able to prove that you did. You are 100% responsible for the minors that are served.

Proof of carding is one of the most important duties licensees and employees should do. **Each and every** time you card a patron, you should be able to prove that you did. Regardless if you question the ID or not, this practice, done correctly, can reduce liability greatly.

If a licensee wishes to defend themselves against a sales to minors charge, they **must** be able to provide that:

1. The minor was required to produce a valid form of identification as defined by the Liquor Code.
2. One of the following forms of documentation were used: Declaration of Age Card, photograph, photocopy, transaction scan device, or video presentation of the ID presented.
3. The above documents were relied upon in “good faith.”

Section 4-495(e) of the Liquor Code states no penalty shall be imposed on a licensee or employee for serving alcohol to a minor if the licensee or employee can establish that the minor was required to produce a valid form of identification and that one of the forms of documentation were used and relied upon in good faith. See the section entitled “Legally Acceptable ID” for such forms of identification.

### KEY FACT:

**All documentation should be kept for at least two years.**



PLCB-931 12/04 PENNSYLVANIA LIQUOR CONTROL BOARD	<b>DECLARATION OF AGE</b>	BUREAU OF STORE OPERATIONS
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DATE 6

I, 1 \_\_\_\_\_ hereby represent to 7 \_\_\_\_\_

A State Store or Licensee of the Pennsylvania Liquor Control Board that I am of full age and discretion and over the age of 21 years, having been born on 2 19 \_\_\_\_\_ in 3 \_\_\_\_\_

*This statement is made to induce said store or licensee above named to sell or otherwise furnish alcoholic beverages to the undersigned.*

Serial Number of Identification Card 8 \_\_\_\_\_

**I UNDERSTAND THAT I AM SUBJECT TO CRIMINAL PENALTIES INCLUDING FINES, IMPRISONMENT, AND/OR LOSS OF DRIVING PRIVILEGES FOR ANY MISREPRESENTATION HEREIN.**

WITNESS: NAME <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px;">9</span> _____ ADDRESS _____ _____	SIGNATURE <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px;">4</span> _____ (Person Requesting Service) ADDRESS <span style="border: 1px solid black; border-radius: 50%; padding: 2px 5px;">5</span> _____ _____
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The PLCB reserves the right to furnish the Declaration of Age card to any appropriate law enforcement agency.

Identification Shown 10 \_\_\_\_\_ Signature Compared Yes 11 No \_\_\_\_\_

Race \_\_\_\_\_ Sex \_\_\_\_\_ Complexion 12 \_\_\_\_\_ Hair Color \_\_\_\_\_ Weight \_\_\_\_\_ Height \_\_\_\_\_

Code Requested 13 \_\_\_\_\_ Time \_\_\_\_\_ Reason Refused 14 \_\_\_\_\_

## Completing the Card

### Ask the Individual to:

1. Print name
2. Enter birth date
3. Enter place of birth (City and State)
4. Sign the card
5. Enter home address

### The Server/Licensee then should fill in the:

6. Current date
7. Name of establishment
8. Serial number of the ID card presented by the customer
9. Witness-licensee/server name and address
10. Type of ID shown
11. Signature compared-check YES or NO
12. If sale is refused, enter a physical description of the customer to include race, sex, complexion, hair color, approximate weight, height, and distinguishing features.
13. Code requested-what they purchased to go
14. Reason refused

*\*FOR SPANISH VERSION, SEE REVERSE SIDE OF DECLARATION OF AGE CARD*

## MINORS FREQUENTING

Not only is it illegal to sell or furnish alcohol to minors, it is generally unlawful for any hotel, restaurant, or club licensee, or any retail dispenser licensee, or their servants, agents, or employees to permit minors to be present on or frequent the licensed premises for any reason whatsoever. The exceptions to this general rule are as follows:

- A. Minors may be permitted on the premises of a hotel, restaurant, or club license or any retail dispenser if the minor is in the company of:
  1. A parent—a parent is a parent;
  2. A court appointed legal guardian—this person takes the place of a parent and has legal documentation to prove that; or
  3. Under “proper supervision”—a person who is 25 years of age or older, who is directly responsible for the care and conduct of the minor(s) while on the licensed premises, and who keeps the minor(s) within his or her sight or hearing at all times. If the licensee or employee is acting as proper supervision, then that person may not perform any other employment-related duties.
  
- B. Another exception is limited to restaurant, hotel, or retail dispenser licensees only (not clubs). It is often referred to as the **Pizza Hut Exception**. This exception allows minors to frequent a licensed premises for the purpose of eating food or drinking nonalcoholic beverages without needing any supervision. All of the following conditions must be met:
  1. The licensee must be able to demonstrate that 50% or more of their total gross sales is food and nonalcoholic beverages.
  2. The minors must not be seated at the bar section of the establishment.
  3. Alcoholic beverages may not be served at the table or booth at which the minor is seated unless the minor is with a parent, legal guardian, or under “proper supervision” as previously defined.
  
- C. The final exception to the prohibition of minors frequenting is applicable to hotel, restaurant, retail dispenser, or club licensees for a **Social Gathering**, even if the gathering is exclusively for minors. In order to permit such conduct, ALL of the following must apply:
  1. No alcohol may be served anywhere on the licensed premises.
  2. All alcohol must either be removed from the premises or secured under lock and key during the social gathering.
  3. Written notice must be provided to the Pennsylvania State Police, Bureau of Liquor Control Enforcement, at least forty-eight (48) hours in advance of the event.

1. Is a spouse considered a legal guardian?

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2. Can a bartender provide proper supervision while tending bar?

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3. What is the ratio of supervisors to minors?

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### KEY FACTS:

Minors frequenting does not apply to:

- Limited Wineries
- Distributors
- Importing Distributors
- Public Venues
- Performing Arts Facilities
- Unlicensed areas of a golf course
- Unlicensed areas of bowling alleys

The **Pizza Hut Exception** does not apply to private club licenses.

If a minor is attending a social gathering as defined, no other adult supervision is required for the event.

# APPENDIX A

## Test Your Knowledge

As you already know, working in a licensed establishment carries a lot of responsibility. What is sometimes a fun job can be very stressful and confusing when you're given misinformation. Many are confused about what laws are really in the Liquor Code. Often times, you're told what's legal and illegal from a number of people, including your patrons. In Pennsylvania, every establishment must follow the Liquor Code, Board Regulations and, if applicable, the terms of any conditional licensing agreement ("CLA") that the license may be subject to. However, an establishment can also enforce its own rules—typically called House Policies—so long as those policies are not illegally discriminatory, or in conflict with the Liquor Code, Board's Regulations or terms of a CLA.

To begin, in what type of establishment do you work? \_\_\_\_\_

1. What hours may licensees legally sell alcohol? \_\_\_\_\_

\_\_\_\_\_

2. What time must patrons vacate the premises? \_\_\_\_\_

\_\_\_\_\_

3. May a minor sit at the bar? \_\_\_\_\_

\_\_\_\_\_

4. How many drinks may you serve to a person at one time for on-premises consumption? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. May licensees refill smaller bottles of liquor with the same product/brand from a larger bottle? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. How many ounces of beer can be sold "to go"? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. May a club sell beer "to go"? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. May a patron leave a restaurant with a partially consumed bottle of wine? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. How long may a licensee's happy hour be?

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10. May a licensee have a happy hour after midnight?

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11. May a licensee run a daily drink special until 2:00 a.m.?

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12. May a licensee discount all draft beer as a daily drink special?

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13. May a licensee serve a pitcher of beer to someone sitting at the bar?

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14. Must take-out beer be bagged?

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15. May a minor enter a distributor unsupervised?

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16. On the day of someone's 21st birthday, what time may he/she legally be served?

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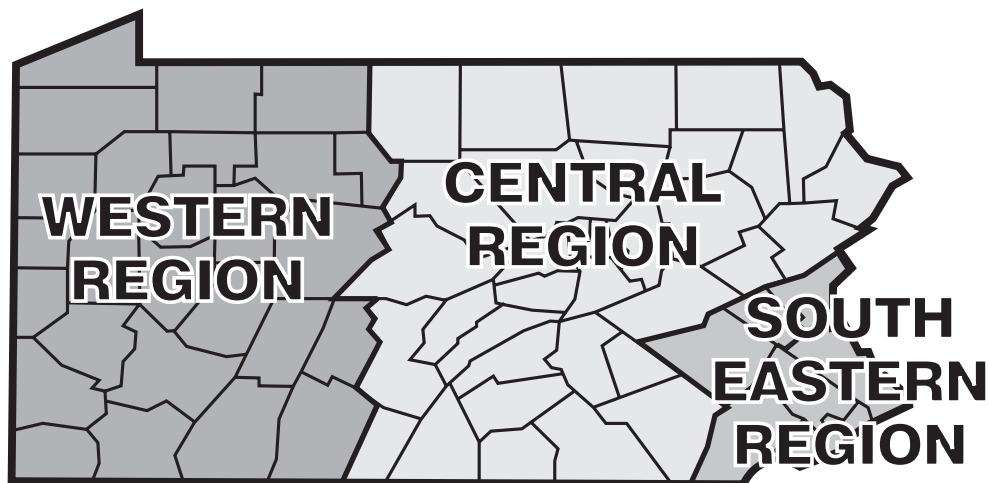
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After the review, how did you do? Did you know as much as you thought you knew? Although this isn't a test, you can certainly get a feel for your own knowledge. As you can see, the Liquor Code rules vary greatly from House Policies.

## APPENDIX B

### PLCB Contact Information

#### Regional RAMP Offices



**Western Pennsylvania**  
(412) 723-0109

**Central Pennsylvania**  
(717) 558-2160  
1 (866) 275-8237

**South Eastern Pennsylvania**  
(610) 940-1217

#### **Bureau of Licensing**

Eastern Region	(610) 940-1200
Central Region	(717) 561-3741
Western Region	(412) 723-0100

#### **Office of Chief Counsel**

401 Northwest Office Building  
Harrisburg, Pa 17124-0001  
Phone: (717) 783-9454  
fax: (717) 787-8820  
email: [ra-lblegal@state.pa.us](mailto:ra-lblegal@state.pa.us)

Visit the PLCB website at:  
[www.lcb.state.pa.us](http://www.lcb.state.pa.us)

## APPENDIX C

**GLOSSARY**—Specialized terms used in this workbook and their meanings:

**Absorption:** The way alcohol enters the bloodstream. Alcohol is absorbed into the blood through the stomach and small intestine.

**Administrative Law Judge (ALJ):** That individual who presides over citation hearings where charges of violations of the Liquor Code are heard.

**Administrative Liability:** Refers to the potential for action taken against a liquor license as a penalty for violation of the Liquor Code. Action may be in the form of a monetary fine, suspension or revocation of license, other condition(s), or any or all combinations of these. Administrative penalties are levied by the Administrative Law Judge.

**Alcohol:** 1. A liquid or solid containing more than one-half of one percent (.5%) of ethyl alcohol by volume capable of being consumed by a human being. 2. A toxic drug; a depressant that slows activity in the central nervous system, resulting in impaired mental and physical performance.

**BAC:** Blood Alcohol Content. The amount of alcohol in the blood, determined by the percentage of alcohol in relation to other blood components. For example, .08% BAC means there are eight (8) parts of alcohol per ten thousand (10,000) parts of blood. (Also Breath Alcohol Content. Many law enforcement agencies use breath tests to determine a person's alcohol content.)

**Central Nervous System (CNS):** The brain and the spinal cord, which collect, process, and transmit information.

**Certification:** See **RAMP Certification**.

**Criminal Liability:** Refers to action which could be taken in the **criminal** courts usually by the local district attorney, against a licensee or server, for sales of alcohol to a minor, or visibly intoxicated person.

**Civil Liability:** Refers to legal action that could be taken in the **civil** courts against licensees and or servers, in order to determine liability under Dram Shop Laws. Civil action usually occurs in instances where there has been death, injury, or property damage caused by a minor, or visibly intoxicated person who was unlawfully served alcoholic beverages.

**Compliance Visit:** Referred to as the fifth step in obtaining RAMP Certification. The licensee must contact its regional RAMP Office and request that a staff member visit the licensed establishment, in order to verify that all necessary RAMP components have been met.

**Declaration of Age Card (931 Card):** A form provided free by the PLCB, which is used to document the information on an identification card presented by a patron when that patron is carded, or asked to produce proof of age.

**Depressant:** A chemical that slows down the processes of the central nervous system.

**Designated Driver:** A person chosen to be the driver for others who are consuming alcohol. A designated driver does not drink alcohol to ensure that everyone in the group gets home safely.

**Dram Shop Laws:** Dram shop laws establish the liability of establishments arising out of the sale of alcohol to visibly intoxicated persons or minors who subsequently cause death or injury to third-parties.

**Drink Equivalency:** There is the same amount of ethyl alcohol in a twelve- (12) ounce bottle of beer, a five- (5) ounce glass of wine, and a one and one-half- (1-1/2) ounce shot of eighty- (80) proof liquor.

**Drug:** A chemical substance that produces a physical, mental, emotional, or behavioral change in the user.

**DUI:** Driving Under the Influence of Intoxicants. In Pennsylvania, the legal standard for DUI is a BAC of .08%. In other words, a person is presumed guilty of DUI if his or her BAC is .08% or greater. DUI includes being under the influence of alcohol and/or other drugs. Legally allowable blood alcohol limits are lower for minors and those with a commercial driver's licenses.

**Ethyl alcohol:** The alcohol in beverages, also known as ethanol. The only alcohol that can be consumed without causing severe immediate physical damage.

**Hospitality Industry:** Restaurants, hotels, and other businesses that provide food, lodging, and other services.

**House Policy:** Rules that the owners or managers of a business set for their employees and customers that are equal to or stricter than state law.

**Identification Cards (Legally Acceptable):** See **Proper Identification**.

**Impairment:** A decrease in physical and mental abilities.

**Incident Documentation (Form PLCB-2027):** A daily record of any events occurring in an establishment kept by the licensed premises. The PLCB recommends licensees record as much pertinent information relating to any incidents which may be the basis of future legal action. Form PLCB-2027 is provided free of charge by the PLCB to assist licensees in documenting such incidents.

**Intoxication:** The condition of physical and mental impairment resulting from consumption of alcohol or other drugs, legal, or illegal.

**Intoxicant:** Anything that produces intoxication, including but not limited to alcohol and other legal drugs, illegal drugs, and household chemicals.

**Legal Duty:** A duty the law requires a person to perform.

**Legal Intoxication:** That blood alcohol level (.08%) which is recognized by law as being evidence of impairment.

**Liability:** Responsibility.

**Licensee:** A person or entity granted the privilege of selling alcoholic beverages by the PLCB.

**Licensed Premises:** Refers to that portion of business which is licensed by the PLCB for the sale and service of alcoholic beverages.

**License:** That document issued by the PLCB for a person or entity to manufacture, distribute, take orders for, and sell spirits, wines, beer, and other alcoholic liquors.

**Liver:** The organ in the human body that metabolizes alcohol.

**Malt Beverage:** An alcoholic beverage made by the fermentation of grain with an alcohol content up to fourteen percent (14%). Such products include beer, ale, porter, stout, flavored malt beverages, etc.

**Manager of Record:** That person who is named by the licensee as the manager of a licensed establishment and that has been approved by the PLCB as such.

**Metabolization:** The chemical process of breaking down a substance, such as alcohol, in the body.

**Minor:** In Pennsylvania, any person younger than twenty-one (21) years of age.

**New Employee:** A “new employee” is defined as anyone who has not been employed at the licensed establishment in any capacity during the preceding year.

**New Employee Orientation (Form PLCB-2228):** Often referred to as the third step in RAMP Certification, this component consists of orientation for all new employees. The PLCB will make available the orientation checklist (Form PLCB-2228) and appropriate learning materials. It is recommended that this orientation be completed on, or before, the new employee’s first day, but must be completed within thirty (30) days of the employee joining the staff.  
**\*Note: This form must be completed for all persons who serve alcohol or check ID, regardless of whether they are considered employees, officers, or volunteers.**

**Owner/Manager (O/M) Training:** One of the five (5) required components for RAMP Certification. To meet this requirement, an O/M Training must be attended by a person who is either the **Manager of Record** of the establishment, or an **owner who owns at least a twenty-five percent (25%) interest in the establishment**.

O/M Trainings are **Free**, are taught by PLCB personnel, and are offered at centrally located sites throughout the Commonwealth.

**Oxidation:** The process by which the body burns alcohol for elimination. The liver oxidizes ninety percent (90%) of alcohol, at a rate equal to about one (1) average drink per hour.

**Premises:** An establishment's building and grounds, including parking lots. Some or all of the premises may be licensed.

**Professional Duty:** Duties a server chooses to perform because he or she wants to do more than legal duties to protect customers, himself or herself, and society in general.

**Proof:** The alcohol content of distilled spirits. Equal to two (2) times the percentage of alcohol. For example, one hundred (100) proof equals fifty percent (50%) alcohol content.

**Proper Identification:** Refers to the four (4) types of identification which are recognized under section 495(a) of the Pennsylvania Liquor Code [47 P.S. § 4-495(a)] as proof of age for the purposes of serving, or selling alcoholic beverages, or frequenting a licensed premises. The four (4) types of identification are: 1) a valid photo driver's license issued by any state; 2) a valid photo identification card issued by any state; 3) a valid armed forces of the United States identification card; and 4) a valid passport, passport card, or travel visa issued by the United States or a foreign country that contains the holder's photograph.

**Proper Supervision:** A person who is twenty-five (25) years of age or older, who is directly responsible for the care and conduct of the minor(s) while on the licensed premises, and who keeps the minor(s) within his or her sight or hearing at all times. If the licensee or employee is acting as proper supervision, then that person may not perform any other employment-related duties.

**RAMP Certification:** A **Responsible Alcohol Management Program Certification (RAMP)** procedure, that provides incentives for licensees that participate. **RAMP** is the umbrella used to describe the collection of training and resources available to licensees and their employees. Completion of the program provides certification for two (2) years. **In order to comply, licensees must complete all parts of the program**, which include: **Owner/Manager Training, Server/Seller Training, New Employee Orientation, Signage, and Request for Certification.**

**Responsible Alcohol Service:** The legal and professional responsibility of alcohol servers to consistently take care that customers do not drink to intoxication, to assure that minors are not served or possess alcohol, and to assure that visibly intoxicated individuals are not served and do not drive.

**Server/Seller Training:** The second component required for RAMP Certification. This training is required for at least fifty percent (50%) of a licensee's alcohol service staff (which includes anyone who serves alcohol or checks IDs). This percentage must be maintained at all times and must be conducted by a trainer who has been approved by the PLCB.

**Signage:** Refers to the fourth component required for RAMP Certification, consisting of displaying signs addressing age and identification requirements and the prohibition of selling alcohol to VIPs.

**Stimulants:** Chemicals that speed up the processes of the central nervous system. Sometimes called "uppers."

**Third Party Liability:** A law that allows a victim to sue a server, licensee, or a social host for damages and injuries resulting from the actions of a customer. In Pennsylvania, third party liability applies when the server or licensee violates the law by serving a minor or a visibly intoxicated person. The first party is the licensee/server, the second party is the customer, and third party is the victim.

**Tolerance:** The condition when a drug user requires increasingly larger amounts of the drug to produce the same effect. A change in the system of the user, developing with prolonged or increased use of a drug, including alcohol.

**Toxic:** Poisonous; causing death, harm, or impairment.

**Tranquilizers:** Depressant drugs that slow down the central nervous system, also known as "downers." Used in combination with alcohol, the depressant effects of both drugs are intensified, sometimes resulting in coma or death.



**VIP:** Visibly Intoxicated Person.

**Visible Intoxication:** This is usually defined as “a level of impairment that any person can observe.”

**Wine:** An alcoholic beverage made from grapes or other fruits. The alcohol content is more than one half of one percent (0.5%) by volume and not more than twenty-four percent (24%) of alcohol by volume. Wine may not contain alcohol derived from malt, grain, cereal, molasses, or cactus.