

Virginia ABC Actions Involving Spotsylvania County Restaurant Gourmeltz

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NEWS RELEASE

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MECHANICSVILLE, Va. – Today, the Virginia Alcoholic Beverage Control Authority (ABC) executed a search warrant against Gourmeltz LLC in Spotsylvania County for records and information related to possession of alcoholic beverages without a license, maintaining a common nuisance and the illegal sale of alcoholic beverages. Despite administrative proceedings and the final order of the Circuit Court of Spotsylvania County affirming Virginia ABC's decision to suspend Gourmeltz's wine/beer on and off premises and mixed beverage licenses, the establishment failed to comply with ABC's Board Order and continued to serve beer, wine and mixed beverages to customers.

Below is a timeline of administrative proceedings and actions related to Gourmeltz:

- Jan. 28, 2021 – Virginia Department of Health's Rappahannock Area Health District summarily suspends Gourmeltz's health permit for not following the COVID-19 public health requirements in the governor's Executive Order.
- March 4 and March 18, 2021 – Virtual informal conference and formal ABC hearing. ABC finds that Gourmeltz willfully and knowingly ignored [Code of Virginia § 4.1-225 2.a.](#) (requires licensees to conform to local health requirements) and revokes their license March 31, 2021. Action on the license is stayed pending Gourmeltz appealing the decision of the

administrative law judge to ABC's Board of Directors.

- Aug. 20, 2021 – Appeal hearing by ABC's Board of Directors
- Sept. 1, 2021 – ABC issues a final decision and order modifying the hearing officer's decision from a revocation to a suspension of Gourmeltz's wine/beer on and off premises and mixed beverage licenses. ABC grants a stay on the Board Order to allow Gourmeltz the opportunity to appeal to circuit court.
- Aug. 4, 2022 – Circuit Court of Spotsylvania County hearing
- Oct. 26, 2022 – The trial judge issues a letter opinion affirming the ABC Board Order in all respects.
- Nov. 10, 2022 – Circuit Court of Spotsylvania County issues a final Order affirming the Board Order in all respects.
- Nov. 15, 2022 – ABC serves the Board Order suspending Gourmeltz's beer and wine license and the mixed beverage license for a period of 90 days. The suspension would be reduced to 15 days upon the payment of a \$4,000 penalty and \$6,469.18 in investigation costs.



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The Virginia Alcoholic Beverage Control Authority (ABC) is a major source of revenue for the commonwealth, contributing more than \$2.7 billion to the general fund in the last five years. Virginia ABC currently operates 397 state stores, and provides alcohol education and prevention programs for people of all ages. Its Bureau of Law Enforcement oversees approximately 19,000 ABC licensed establishments. Now marking its 88th year, ABC remains committed to progress and innovation in carrying out its vision of bringing good spirits and excellent service to Virginia.

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