

March 10, 2014

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David Romine
Kalik Lewin
4720 Montgomery Lane, Suite 400
Bethesda, MD 20814
RE: Three Instant Rebate Offers

Dear Mr. Romine:

ISSUE: This correspondence is in response to your e-mail of February 24, 2014, in which you request approval on behalf of Folio Fine Wine Partners to conduct three (3) instant rebate promotions in Pennsylvania.

The first promotion offers consumers a rebate of one dollar (\$1.00) on the purchase of a 750ml bottle of Rèmole Toscana IGT wine. The second promotion offers consumers a rebate of one dollar (\$1.00) on the purchase of a 750ml bottle of Danzante wine. The third promotion offers consumers a rebate of three dollars (\$3.00) on the purchase of a bottle of any Oberon wine. The first two offers expire on December 31, 2014, while the third offer expires on June 30, 2014. The offers are limited to adults of legal drinking age.

OPINION: This office has reviewed the proposed rebate promotions and determined that they comport with applicable liquor laws and regulations, specifically subsection 493(24)(i) of the Liquor Code [47 P.S. § 4-493(24)(i)], and are acceptable for use in this Commonwealth.

Therefore, it would be permissible to conduct the promotions in the Commonwealth in reference to the area checked below:

- retail licensed premises.
- distributor licensed premises.
- both retail and distributor licensed premises.
- the Board's wine and spirits stores, subject to approval of the Bureau of Product Selection.
- other – Internet, text messaging.

THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR OTHERS FROM CONSEQUENCES OF CONDUCT OCCURRING PRIOR TO ITS ISSUANCE. THE PROPRIETY OF THE PROPOSED CONDUCT HAS BEEN ADDRESSED ONLY UNDER THE LIQUOR CODE AND REGULATIONS. THE LAWS AND POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Very truly yours,

FAITH S. DIEHL
CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement
James Short, Director of Marketing and Merchandising
Michelle Bonsick, Director, Bureau of Marketing Communications,
Branding & Design
Pamela Bernd, Product Selection

LCB Advisory Opinion No. 14-068