

March 19, 2014

Telephone: (717) 783-9454

FAX: (717) 787-8820

Jennifer Chomicki  
Marketing Compliance Manager  
Pernod Ricard USA  
100 Manhattanville Road, 4<sup>th</sup> Floor  
Purchase, NY 10577

**RE: The Seagram's Gin 2015 Artist Contest**

Dear Ms. Chomicki:

ISSUE: This correspondence is in response to your letter dated March 5, 2014, in which you request approval to conduct a contest promotion in Pennsylvania.

According to the official rules you provided, "The Seagram's Gin 2015 Artist Contest" promotion is scheduled to run from March 19 through May 14, 2014. Consumers may participate via e-mail to the address provided in the rules. A panel of judges will select thirteen (13) entrants to each receive a trip for two (2) to Miami, Florida, including round-trip airfare, ground transportation, hotel accommodations for three (3) nights, admission to the 2015 Seagram's Gin calendar launch party, and five hundred dollars (\$500.00) in spending money. No purchase is necessary to enter, and the promotion is open only to legal residents of select states, including Pennsylvania, who are twenty-one (21) years of age or older at the time of entry.

OPINION: Section 5.32(h) of the Pennsylvania Liquor Control Board's ("Board") Regulations states that a manufacturer or licensee may sponsor sweepstakes promotions subject to the following conditions:

- i. No purchase is necessary to enter.
- ii. Entrants shall be twenty-one (21) years of age or older.
- iii. Retail licensed premises may only be involved as pick-up or drop-off points for entry forms and not for the conducting of drawings or the awarding of prizes.
- iv. Alcoholic beverages may not be part of the prize.

[40 Pa. Code § 5.32(h)].

This office has reviewed the proposed promotion and has determined that it comports with applicable liquor laws and regulations, specifically subsection 493(24) of the Liquor Code [47 P.S. § 4-493(24)] and section 5.32(h) of the Board's Regulations [40 Pa. Code

Jennifer Chomicki

March 19, 2014

Page 2

§ 5.32(h)], and is acceptable for use in this Commonwealth, assuming alcoholic beverages are not included in the prize.

Therefore, it would be permissible to conduct this promotion in the Commonwealth, as indicated above, in reference to the areas 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 Management.
- 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  
Office of the Director of Marketing and Merchandising  
Michelle Bonsick, Director, Bureau of Marketing Communications,  
Branding & Design  
Pamela Bernd, Product Selection

LCB Advisory Opinion No. 14-091