

March 26, 2014

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Carlie Speelman
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St. Helena, CA 94574

RE: Colbie Caillat LITV Twitter Party Sweepstakes

Dear Ms. Speelman:

ISSUE: This correspondence is in response to your e-mail of March 20, 2014, wherein you request approval to run the Colbie Caillat LITV Twitter Party Sweepstakes in Pennsylvania.

According to the "Official Rules" that you provided, the sweepstakes is scheduled to occur on March 31, 2014, beginning at 12:00 p.m. PT and running until 1:00 p.m. PT. Interested individuals are required to RSVP to the Twitter Party via <http://clvr.li/lowc3jS> located in the Clever Girls Collective Newsletter, tweeted at www.twitter.com/SutterHome and posted on Facebook at www.facebook.com/SutterHome. For a chance to win the sweepstakes, interested individuals must attend and participate in the Colbie Caillat LITV Twitter Party on March 31, 2014, from 12:00 p.m. to 1:00 p.m. PT, and either answer or ask a question, retweet, direct message, or list the brand and/or event in a #Hashtag post.

A maximum of eight (8) prize packs will be awarded for the sweepstakes. The prize packs are as follows: one (1) prize pack containing one (1) one hundred dollar (\$100.00) iTunes® gift card and one (1) Colbie Caillat merchandise item; one (1) prize pack containing one (1) seventy-five dollar (\$75.00) iTunes® gift card and one (1) Colbie Caillat merchandise item; three (3) prize packs containing one (1) fifty dollar (\$50.00) iTunes® gift card and one (1) Colbie Caillat merchandise item; and three (3) prize packs containing one (1) twenty-five dollar (\$25.00) iTunes® gift card and one (1) Colbie Caillat merchandise item. The total approximate retail value of all prizes is five hundred twenty-five dollars (\$525.00). No alcoholic beverages are included in the prizes. The winners will be selected from among all eligible entries received in a random drawing on or about March 31, 2014.

The sweepstakes is open only to legal residents of the United States who are twenty-one (21) years of age or older at the time entry and who attend the Colbie Caillat LITV Twitter Party on March 31, 2014. No purchase is necessary to enter or win the sweepstakes.

OPINION: Section 5.32(h) of the Pennsylvania Liquor Control Board's ("Board") Regulations states that a manufacturer, manufacturer's representative, 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 sweepstakes promotion as described in the "Official Rules" and determined that it comports with applicable liquor laws and regulations, specifically section 493(24)(i) of the Liquor Code [47 P.S. § 4-493(24)(i)] and section 5.32(h) of the Board's Regulations [40 Pa. Code § 5.32(h)].

Please be advised that prior approval of malt or brewed beverages point-of-sale ("POS") material and retail licensed premises POS material is no longer required. However, the requirement for prior approval of POS material intended for use in the Board's wine and spirits stores from the Bureau of Product Selection remains. The total cost of all POS advertising material relating to any one (1) brand of any one (1) manufacturer at any one (1) time may not exceed three hundred dollars (\$300.00) on a retail licensed premises. [47 P.S. § 4-493(20)(i)].

Therefore, it is permissible to conduct this promotion in the Commonwealth in reference to the areas checked below:

___ retail licensed premises.

___ distributor licensed premises.

_____ both retail and distributor licensed premises.

X the Board's wine and spirit stores, subject to approval of the Bureau of Product Selection (POS only).

X 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
Dale Horst, Interim Director of Marketing and Merchandising
Michelle Bonsick, Director, Bureau of Marketing Communications,
Branding & Design
Pamela Bernd, Product Selection

LCB Advisory Opinion No. 14-102