

April 15, 2014

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April Pyatt  
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100 Manhattanville Road, 4<sup>th</sup> Floor  
Purchase, NY 10577

**RE: Dead Bolt Break Into The Rock Sweepstakes (Revised Rules)**

Dear Ms. Pyatt:

ISSUE: This correspondence is in response to your letter which was received in this office on April 3, 2014, in which you request approval to conduct a sweepstakes promotion in Pennsylvania.

According to the revised rules you provided, the “Dead Bolt® Break Into The Rock Sweepstakes” promotion is scheduled to run from April 1 through May 31, 2014. Consumers may participate by scanning a QR code found on promotional material. On or about June 10, 2014, one (1) entrant will randomly be selected to receive a trip to San Francisco, California, including round-trip airfare, ground transportation to and from the Dead Bolt Alcatraz event on July 15, and a gift card valued at five hundred dollars (\$500.00). Alcohol will not be part of the prize. No purchase is necessary to enter, and the promotion is open only to legal residents of the United States 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 § 5.32(h)], and is acceptable for use in this Commonwealth.

Therefore, it would be 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.
- 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  
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. 14-137