

April 18, 2014

Telephone: (717) 783-9454

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Natalie Harris
Mandell Menkes LLC
One North Franklin Street, Suite 3600
Chicago, IL 60606

RE: Evan Williams Honey Rocks Contest and Sweepstakes

Dear Ms. Harris:

ISSUE: This correspondence is in response to your e-mail sent April 15, 2014, in which you request approval to conduct a sweepstakes promotion in Pennsylvania sponsored by Heaven Hill Distilleries, Inc.

According to the official rules you provided, the “Evan Williams Honey Rocks Contest and Sweepstakes” promotion is scheduled to run from April 28 through June 9, 2014. Consumers may participate by visiting the promotional website or the Evan Williams Honey Facebook page, selecting at least three (3) songs to create a “perfect summertime playlist” from those offered, and then completing the entry information required. For six (6) consecutive weeks there will be a random weekly drawing, and entries will be judged by panel of judges from Heaven Hill Distilleries’ marketing team and individuals from the advertising industry. Ten (10) grand prize winners will each receive one (1) Ion brand wireless Bluetooth speaker, and thirty (30) weekly prize winners (five (5) per drawing) will each receive two (2) Evan Williams Honey Reserve branded shot glass ice molds. According to your correspondence, alcohol will not be awarded as part of any prize. No purchase is necessary to enter, and the promotion is open only to legal residents of the United States, where permitted, 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,

Natalie Harris
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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. 14-156