

April 22, 2014

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David Romine
Kalik Lewin
4720 Montgomery Lane, Suite 400
Bethesda, MD 20814

RE: Three Folio Fine Wine Instant Rebates

Dear Mr. Romine:

ISSUE: This correspondence is in response to your e-mail of April 14, 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 a rebate of one dollar (\$1.00) on the purchase of La Vendimia wine. The second promotion offers a rebate of one dollar (\$1.00) on the purchase of Artazuri Garnacha wine. The third promotion offers a rebate of two dollars (\$2.00) on the purchase of La Montesa wine. The rebate coupons will be available to print and are redeemed by the customer at the time of purchase. The offers expire on June 30, 2014, and are limited to adults of legal drinking age.

OPINION: This office has reviewed the proposed offers and has 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.

- X 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
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. 14-169