

April 22, 2014

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David Romine  
Kalik Lewin  
4720 Montgomery Lane, Suite 400  
Bethesda, MD 20814  
**RE: Three Folio Fine Wine Mail-in 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) mail-in rebate promotions in Pennsylvania.

The first promotion offers a rebate of four dollars (\$4.00) on the purchase of two (2) bottles of Artazuri Garnacha wine. The second promotion offers an escalating rebate on purchases of La Montesa wine. Specifically, consumers may receive two dollars (\$2.00) on the purchase of two (2) bottles, five dollars (\$5.00) on the purchase of four (4) bottles, or twelve dollars (\$12.00) on the purchase of six (6) bottles. The third promotion offers a rebate of four dollars (\$4.00) on the purchase of two (2) bottles of La Vendimia wine. To redeem any of the rebate offers, consumers must complete a rebate form and mail it, along with a store cash receipt with the qualifying purchases circled, to the designated address. The offers are valid for purchases made between April 1 and 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.
- 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. 14-170