

June 2, 2014

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Vice President, Off Premise  
Lantern Division  
Southern Wine & Spirits  
1600 Northwest 163rd Street  
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**RE: Jim Beam Brands Co. Sauza 901 Tequila Promotions (Revised)**

Dear Ms. Carlow:

ISSUE: This correspondence is in response to your e-mail of May 20, 2014, in which you request legal review of a pair of promotions to be conducted in Pennsylvania sponsored by Jim Beam Brands Co. You indicate that since this office reviewed the same promotions in Advisory Opinion No. 14-0221, the terms have been revised for the download offer.

According to the sample advertisement you provided, the promotion offers consumers an online download of five (5) songs. Consumers may participate via a promotional website or via text message. Under the revised terms, no purchase is necessary to receive the song downloads.

The terms of the sweepstakes promotion have not been revised, and thus the prior analysis of this office remains unchanged as to that promotion.

OPINION: This office has reviewed the proposed offer and has determined that it comports with applicable liquor laws and regulations, specifically subsection 493(24)(i) of the Liquor Code [47 P.S. § 4-493(24)(i)], 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. 14-240