

August 14, 2014

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Capricia Borrero
Insight Resource Group
3 Altarinda Road, Suite 301
Orinda, CA 94563

RE: Hess Collection Winery Instant Rebate

Dear Ms. Borrero:

ISSUE: This correspondence is in response to your e-mail of July 28, 2014, in which, on behalf of Hess Collection Winery, you request legal review of a proposed instant rebate promotion.

The promotion offers a rebate of one dollar (\$1.00) on the purchase of any 750ml bottle of Hess Select or Hess Collection wine. To receive the discount, consumers must present the coupon at the checkout stand. The promotion runs from October 1 through December 31, 2014, and is limited to adults of legal drinking age.

OPINION: This office has reviewed the proposed rebate 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 the promotion 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
John Metzger, Executive Director
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. 14-458