

September 9, 2014

Telephone: (717) 783-9454

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Jim Heetmann, Vice President
Promotion Mechanics, Inc.
87 South Main Street
Newtown, CT 06470

RE: Atlantico Rum All Access Sweepstakes

Dear Mr. Heetman:

ISSUE: This correspondence is in response to your e-mail and attached letter of August 26, 2014, in which, on behalf of Atlantico Importing Company, you request legal review of a proposed sweepstakes promotion to be conducted in Pennsylvania.

According to the official rules you provided, the “Atlantico Rum ‘All Access’ Sweepstakes” promotion is scheduled to run from September 12 through October 29, 2014. Consumers may participate by following the instructions online at the promotional website or via Twitter or Instagram. On or about October 30, 2014, one (1) entrant will be randomly selected to receive a trip for two (2) to Miami, Florida, including round-trip airfare, hotel accommodations for two (2) nights, ground transportation, Enrique Iglesias merchandise, and five hundred dollars (\$500.00) in spending money. Alcoholic beverages will not be a part of the prize. The promotion is limited to entrants twenty-one (21) years of age or older, and no purchase is necessary to enter.

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 sweepstakes and determined that it comports with applicable liquor laws and regulations, specifically section 493(24)(i) of the Liquor Code and section 5.32(h) of the Board's Regulations [47 P.S. § 4-493(24)(i); 40 Pa. Code § 5.32(h)].

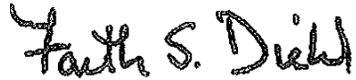
Therefore, it would be permissible to conduct this promotion in the Commonwealth in reference to the areas checked below:

- retail licensed premises.
- distributor licensed premises.
- both retail and distributor licensed premises.
- the Board's wine and spirit 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,

A handwritten signature in black ink that reads "Faith S. Diehl". The signature is written in a cursive, slightly slanted style.

FAITH S. DIEHL
CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement
Dale Horst, Director of Marketing and Merchandising
Michelle Bonsick, Director, Bureau of Marketing Communications,
Branding & Design
Pamela Bernd, Product Selection

LCB Advisory Opinion No. 14-503