

November 6, 2014

Robert Conroy
Pernod Ricard USA
250 Park Avenue
New York, NY 10177

RE: Chivas Regal Venture Competition

Dear Mr. Conroy:

ISSUE: This correspondence is in response to your letter dated October 9, 2014, wherein you request approval to conduct the “Chivas Regal Venture Competition” promotion in Pennsylvania.

According to the “Official Rules” that you provided along with your letter, the promotion will run between October 13, 2014 and December 31, 2014. Interested individuals may enter the contest during the submission period by visiting a website created for the contest and submitting an entry form that details a for-profit business model.

The entries received for the contest will be judged based on the following criteria: purpose, thirty percent (30%); viability, thirty percent (30%); scale, ten percent (10%); practicality, fifteen percent (15%); and credentials, fifteen percent (15%). On January 8, 2015, the sponsor, an independent judging organization, or an entity designated by the sponsor will select five (5) U.S. finalists. On February 1, 2015, the five (5) finalists will make live presentations and one (1) will be selected to receive fifty thousand dollars (\$50,000.00) in cash along with an all-expense paid trip to San Francisco for workshops and for the global competition. Alcohol will not be included in any prize. No purchase is necessary to enter or win the contests. The contests are open only to legal residents of the United States or the District of Columbia who are twenty-five (25) years of age or older at the time of entry.

OPINION: Section 5.32(h) of the Pennsylvania Liquor Control Board’s (“Board”) Regulations states that a manufacturer, manufacturer’s representative, 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 promotion and determined that it comports with the applicable liquor laws and regulations, specifically section 493(24)(i) of the Liquor Code [47 P.S. § 4-493(24)(i)] and section 5.32(h) of the Board's Regulations [40 Pa. Code § 5.32(h)], and is acceptable for use in this Commonwealth.

Therefore, it is 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 (POS only).
- 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 ADRESSED 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,

Robert Conroy
November 6, 2014
Page 3

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. 14-568