

November 5, 2014

Ms. Sarah Larsen, Paralegal
Jackson Family Enterprises, Inc.
Jackson Family Wines, Inc.
421 Aviation Boulevard
Santa Rosa, California 95403
: **LA Crema Virtual Vintner Naming Contest**

Dear Ms. Larsen:

ISSUE: This correspondence is in response to your e-mail of October 22, 2014, wherein you request approval to conduct the “La Crema Virtual Vintner Naming Contest” promotion in Pennsylvania.

According to the “Official Rules” that you provided with your e-mail, the contest began on October 27, 2014 and is scheduled to continue until December 14, 2014. Individuals interested may enter the contest by visiting the promotional website and submitting a name for the new La Crema Pinot Noir. A panel of judges will select five (5) wine names that will be posted on the website for the public to vote on their favorite name.

One (1) grand prize will be awarded and four (4) runner-up winners will be selected. No purchase is necessary to enter the contest, and entrants must be twenty-one (21) years of age or older. Alcohol will not be included in any prize.

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 promotion and has determined that it comports with applicable liquor laws and regulations, specifically subsection 493(24) of the Liquor

Code [47 P.S. § 4-493(24)] and section 5.32(h) of the Board's Regulations [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 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, Director of Marketing and Merchandising
Michelle Bonsick, Director, Bureau of Marketing Communications,
Branding & Design
Pamela Bernd, Product Selection

LCB Advisory Opinion No. 14-573