

November 21, 2014

Mackenzie Carruth  
Account Coordinator  
Avid Marketing Group  
100 Corporate Place  
Suite 200  
Rocky Hill, Connecticut 06067

**RE: Kettle One Cocktail Set SLO Program**

Dear Ms. Carruth:

ISSUE: This correspondence is in response to your e-mail dated November 18, 2014, in which you seek, on behalf of Diageo Americas, Inc., a legal review of a proposed offer to be conducted in Pennsylvania.

According to the official rules you provided, the “Ketel One Cocktail Set SLO Program” promotion is scheduled to run from April 4, 2015 to September 30, 2015. The cocktail kit includes: a canvas roll-up carrier that includes a fruit grilling paddle, jigger, and zester, paring knife, mixing spoon, muddler and cocktail recipe booklet. Consumers may purchase the kit by sending a check or money order for thirty-five dollars (\$35.00) along with the order form to the address specified. Please allow four (4) to six (6) weeks for delivery. The offer is valid only for residents of legal purchase age while supplies last. No purchase of alcohol necessary to participate.

This office has reviewed the proposed offer and has determined that it comports with applicable liquor laws and regulations, specifically section 493(24) of the Liquor Code and section 5.32(h) of the Board’s Regulations, and may be conducted in the Commonwealth provided no alcoholic beverages are provided as part of the offer. [47 P.S. § 4-493(24); 40 Pa. Code § 5.32(h)].

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.
- X 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. 14-598