

January 8, 2015

Scott A. Schleifstein  
Cohen Silverman Rowan LLP  
360 Lexington Avenue, 16<sup>th</sup> Floor  
New York, New York 10017

**RE: Crown Royal “Your Hero’s Name Here” Contest**

Dear Mr. Schleifstein:

ISSUE: This correspondence is in response to your letter dated December 29, 2014, wherein you request approval to conduct the Crown Royal “Your Hero’s Name Here” Contest sponsored by Diageo Americas Inc. in Pennsylvania.

According to the “Official Rules” that you provided with your letter, the contest is scheduled to begin on February 2, 2015, and runs until April 12, 2015. Interested individuals may enter the contest via the promotional website by following the instructions to complete and submitting an essay nominating a “hero” for the Brickyard 400 in Indianapolis, Indiana.

The top five finalists will be notified on or about April 13, 2015. One grand prize winner will be selected from the finalist category. The grand prize winner will receive the ultimate race experience at the 2015 Brickyard 400 at the Indianapolis Speedway scheduled for July 23, 2015 through July 26, 2015. The grand prize winner’s “hero” will be announced at the race. Additionally, the grand prize includes: airfare, hotel accommodations for three (3) nights, five hundred (\$500.00) in spending money, a VIP pre-race tour, infield access, access to the Crown Royal Luxury Suite and RV during the race, access to Victory Lane at the end of the race and Crown Royal racing souvenirs.

The four (4) finalists’ prizes will include: a trip to the Brickyard 400 at the Indianapolis speedway, airfare hotel accommodation for three (3) nights five hundred dollars (\$500.00) in spending money, Crown Royal Chalet access, field

access and a VIP pre-race tour. No purchase is necessary to enter the contest. All entrants must be twenty-one (21) years of age or older.

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

Scott A. Schleifstein  
January 8, 2015  
Page 3

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  
Pamela Bernd, Product Selection

LCB Advisory Opinion No. 14-652