

Mailing Date: January 13, 2015

Telephone: 717-783-9454

FAX: 717-787-8820

Ryan M. Martin, Esq.
Associate
Winston & Strawn LLP
35 W. Wacker Drive
Chicago, IL 60601-9703
VIA E-MAIL: RMMartin@winston.com

RE: Evan Williams Bourbon Seriously Good Music Download Offer

Dear Mr. Martin:

ISSUE: This correspondence is in response to your letter dated January 7, 2015, wherein you seek approval, on behalf of your client, Heaven Hill Distilleries, to conduct the 'Evan Williams Bourbon Seriously Good Music Download Offer' in Pennsylvania.

The promotion is scheduled to run from February 16, 2015 to April 30, 2015. Interested individuals may participate by visiting the promotional website, www.EvanWilliams.com/KipMoore and following the instructions to access a free music download of 'I'm to Blame' by Kip Moore, while supplies last (download quantities are limited to four thousand (4,000)). The approximate retail value of the music download is ninety-nine cents (\$0.99). There is a limit of one (1) download per e-mail address. No purchase is necessary to participate, and the offer is open only to legal residents of the United States or the District of Columbia who are twenty-one (21) years of age or older.

OPINION: This office has reviewed the proposed promotion and determined that it comports with applicable liquor laws and regulations, specifically subsection 493(24) of the Liquor Code [47 P.S. § 4-493(24)].

Please be advised that prior approval of malt or brewed beverages point-of-sale ('POS') material and prior approval of retail licensed premises POS material are no longer required. However, the requirement for prior approval of POS material intended for use in the Board's wine and spirits stores from the Bureau of Product Selection remains. The total cost of all POS advertising material relating to any one (1) brand of any one (1) manufacturer at any one (1) time may not exceed three hundred dollars (\$300.00) on a retail licensed premises. [47 P.S. § 4-493(20)(i)].

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.

X the Board's wine and spirit stores, subject to approval of the Bureau of Product Selection (POS only)

X 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
Joseph Puhalla, Director, Bureau of Product Selection

LCB Advisory Opinion No. 15-001