

February 25, 2015

Jenna Bell  
Assistant Marketing Coordinator  
Avid Marketing Group

**RE: Newcastle Mail-in Rebates**

Dear Ms. Bell:

ISSUE: This correspondence is in response to your e-mail of February 10, 2015, wherein you request legal review of two (2) proposed mail-in rebate promotions to be conducted in Pennsylvania by your client, Heineken.

According to the sample coupons you provided, the first promotion offers consumers a mail-in rebate of five dollars (\$5.00) on the purchase of bottled water along with a six (6)-pack or larger of Newcastle Brown Ale<sup>®</sup>, Newcastle Limited-Edition, or the Newcastle Variety Pack. The second promotion offers a mail-in rebate of eight dollars (\$8.00) on the purchase of deli meats and/or cheeses along with a six (6)-pack or larger of one of the above products. However, the rules governing each of the offers state that no beer purchase is required to receive a rebate in Pennsylvania.

OPINION: Because the proposed mail-in rebate promotions do not require the purchase of any alcohol product in Pennsylvania but, rather, involve only food and water products, the Liquor Code is not applicable. Therefore, it would be permissible to conduct the proposed promotions in Pennsylvania, subject to any applicable laws of the Commonwealth that are outside the purview of this office.

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

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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

LCB Advisory Opinion No. 15-069