

March 11, 2015

Jenna Bell  
Assistant Marketing Coordinator  
Avid Marketing Group

**RE: Dos Equis Mail-in Rebate**

Dear Ms. Bell:

ISSUE: This correspondence is in response to your e-mail of February 25, 2015, wherein you request legal review of a proposed mail-in rebate promotion to be conducted in Pennsylvania by your client, Heineken.

According to the sample coupon you provided, the promotion offers consumers a rebate of up to ten dollars (\$10.00) on the purchase of thirty dollars (\$30.00) or more of groceries along with a case of Dos Equis® Lager Especial, Dos Equis® Ambar, or the Beers of Mexico Variety Pack. However, the rules governing the offer state that no beer purchase is required to receive a rebate in Pennsylvania.

OPINION: Because the proposed mail-in rebate promotion does not require the purchase of any alcohol product in Pennsylvania but, rather, involves only food products, the Liquor Code is not applicable. Therefore, it would be permissible to conduct the proposed promotion 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 BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Jenna Bell  
March 11, 2015  
Page 2

Very truly yours,

FAITH S. DIEHL  
CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement

LCB Advisory Opinion No. 15-081