

March 13, 2015

Jenna Bell  
Assistant Marketing Coordinator  
Avid Marketing Group

**RE: Strongbow Mail-in Rebates**

Dear Ms. Bell:

ISSUE: This correspondence is in response to your e-mail of March 2, 2015, wherein you request legal review of a pair of 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 rebate of up to twenty dollars (\$20.00) on the purchase of sixty dollars (\$60.00) or more of groceries along with two (2) six (6)-packs or four (4)-packs of Strongbow® Hard Apple Cider or the Strongbow® Hard Apple Cider Variety Pack. The second promotion offers consumers a rebate of up to five dollars (\$5.00) on the purchase of at least five dollars and one cent (\$5.01) of ice along with two (2) six (6)-packs (or larger) of Strongbow® Hard Apple Cider or the Strongbow® Hard Apple Cider Variety Pack. However, the rules governing the offers state that no alcohol 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 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

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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

LCB Advisory Opinion No. 15-086