

March 31, 2015

David Romine  
Alcohol Beverage Specialist  
Kalik Lewin

**RE: Danzante Wines Mail-in Rebate**

Dear Mr. Romine:

ISSUE: This correspondence is in response to your e-mail of March 17, 2015, wherein you request legal review of a proposed mail-in rebate promotion to be conducted in Pennsylvania by your client, Folio Fine Wine Partners.

According to the sample coupon you provided, the promotion offers consumers an escalating rebate of up to twelve dollars (\$12.00) on the purchase of 750ml bottles of Danzante Wines. Specifically, consumers may receive one dollar (\$1.00) on the purchase of one (1) bottle, five dollars (\$5.00) on the purchase of three (3) bottles, or twelve dollars (\$12.00) on the purchase of six (6) bottles. To receive a rebate, consumers must mail in the rebate form along with a store cash receipt with the relevant item(s) circled. The offer expires September 30, 2015, and is limited to adults of legal drinking age.

OPINION: This office has reviewed the proposed rebate offer and has determined that it comports with applicable liquor laws and regulations, specifically subsection 493(24)(i) of the Liquor Code [47 P.S. § 4-493(24)(i)], and is acceptable for use in this Commonwealth.

Therefore, it would be permissible to conduct the promotions in the Commonwealth in reference to the area checked below:

- retail licensed premises.
- distributor licensed premises.
- both retail and distributor licensed premises.

- X the Board's wine and spirits stores, subject to approval of the Bureau of Product Selection.
- \_\_\_ 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. 15-126