

May 7, 2015

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35 W. Wacker Drive  
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**RE: Evan Williams Seriously Good Fan Pics Contest**

Dear Ms. Chubb:

ISSUE: This correspondence is in response to your e-mail dated April 27, 2015, wherein you seek approval, on behalf of Heaven Hill Distilleries and Slant, to conduct the “Evan Williams Seriously Good Fan Pics Contest” promotion in Pennsylvania.

According to the “Official Rules” that you supplied with your e-mail, the contest is scheduled to begin on May 18, 2015, and runs until April 30, 2016. Interested individuals may enter the contest by visiting the “Insider” page on the Evan Williams website, [www.evanwilliams.com/fanpics](http://www.evanwilliams.com/fanpics), and following the on-screen directions to complete an entry and upload a photo. The photo must show the entrant’s love of Evan Williams Seriously Good Bourbon, but does not actually need to show the alcoholic beverage product in order to be eligible. Entries are unlimited, as long as the photo in each entry is unique.

All eligible entries received will be judged by a qualified panel of judges selected by the sponsor at the end of each applicable monthly entry period. Entries will be assigned a score from one (1) to five hundred (500), and the ten (10) entries with the ten (10) highest total scores will be the winners for each applicable monthly entry period. Non-winning monthly entries will be carried over into subsequent monthly entry periods.

Each prize winner will receive an Evan Williams-branded prize pack, which may include one (1) flask, one (1) set of shot glasses, and additional Evan Williams swag items. The approximate retail value of each prize is twenty-five dollars (\$25.00). There is a limit of one (1) monthly prize per person/e-mail address/household.

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The contest is open only to legal residents of the fifty (50) United States or the District of Columbia who are twenty-one (21) years of age or older. No purchase is necessary to enter or win the contest.

OPINION: Section 5.32(h) of the Pennsylvania Liquor Control Board's ("Board") Regulations states that a manufacturer, manufacturer's representative, or licensee may sponsor sweepstakes promotions subject to the following conditions:

- i. No purchase is necessary to enter.
- ii. Entrants shall be twenty-one (21) years of age or older.
- iii. Retail licensed premises may only be involved as pick-up or drop-off points for entry forms and not for the conducting of drawings or the awarding of prizes.
- iv. Alcoholic beverages may not be part of the prize.

[40 Pa. Code § 5.32(h)].

This office has reviewed the proposed promotion as described above and determined that it comports with applicable liquor laws and regulations, specifically section 493(24)(i) of the Liquor Code [47 P.S. § 4-493(24)(i)] and section 5.32(h) of the Board's Regulations [40 Pa. Code § 5.32(h)].

Please be advised that prior approval of malt or brewed beverages point-of-sale ("POS") material and retail licensed premises POS material is 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 is permissible to conduct the proposed 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 spirits 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. 15-203