

August 31, 2015

Capricia Borrero  
Coupon Specialist  
Insight Resource Group

**RE: Zonin USA Instant Rebates**

Dear Ms. Borrero:

ISSUE: This correspondence is in response to your e-mails of August 21 and 27, 2015, wherein you request legal review of three (3) instant rebate promotions to be offered in Pennsylvania by your client, Zonin USA. The promotions also include coupons for food purchased at Olive Garden.

According to the sample coupons you provided, the first promotion will offer consumers an instant rebate of two dollars (\$2.00) on the purchase of any bottle of Primo Amore Riesling or Moscato wine. The second promotion offers consumers an instant rebate of one dollar (\$1.00) on the purchase of a 750ml bottle of Castello del Poggio Moscato wine. The third promotion offers consumers an instant rebate of one dollar (\$1.00) on the purchase of a 750ml bottle of Zonin Prosecco wine. The offers are scheduled to run from September 1, 2015, through March 31, 2016, and are limited to adults of legal drinking age.

With regard to the food coupons, each of the three (3) promotions also includes an attached coupon good for five dollars (\$5.00) off the purchase of two (2) dinner entrées at Olive Garden. No wine purchase is necessary to redeem the coupons.

OPINION: This office has reviewed the proposed rebate offers and has determined that they comport with applicable liquor laws and regulations, specifically subsection 493(24)(i) of the Liquor Code [47 P.S. § 4-493(24)(i)], and are acceptable for use in this Commonwealth. As to the food coupons, since no alcohol purchase is required, the promotions are not governed by the Liquor Code or the Board's Regulations.

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.
- 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  
Joseph Puhalla, Director, Bureau of Product Selection

LCB Advisory Opinion No. 15-381