

October 26, 2015

Karen L. Gabriele
Compliance Specialist
Mark Anthony Services Inc.
328 South Jefferson Street, Suite 1050
Chicago, IL 60661
VIA E-MAIL

RE: Mike's Passion Fruit Collectible Can Design Contest

Dear Ms. Gabriele:

ISSUE: This correspondence is in response to your letter of October 8, 2015, in which you request legal review of a proposed promotion to be conducted in Pennsylvania by Mark Anthony Brands Inc.

According to the official rules you provided, the "mike's® HARDER Passion Fruit Summer 2016 Collectible Can Design Contest" promotion is scheduled to run from October 12 through November 24, 2015. Consumers may participate online by following the instructions at www.zooppa.com. Three (3) entrants will each receive a cash prize of up to ten thousand dollars (\$10,000.00). Alcoholic beverages will not be part of the prize. The promotion is open only to adults of legal drinking age, and no purchase is necessary to participate.

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

Therefore, it would be permissible to conduct this promotion in the Commonwealth in reference to the areas checked below:

- retail licensed premises.
- distributor licensed premises.

- both retail and distributor licensed premises.
- the Board's wine and spirit 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,

RODRIGO J. DIAZ
EXECUTIVE DEPUTY CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement
Dale Horst, Director of Marketing and Merchandising
Stacy Kriedeman, Director, Marketing Communications
Joseph Puhalla, Director, Bureau of Product Selection

LCB Advisory Opinion No. 15-452