

October 27, 2015

Alyssa Cianciosi
Account Coordinator
Avid Marketing Group
VIA E-MAIL

RE: Sterling Vineyards Mail-in Rebate

Dear Ms. Cianciosi:

ISSUE: This correspondence is in response to your e-mail of October 15, 2015, in which you request legal review of a proposed mail-in rebate promotion to be conducted in Pennsylvania by your client, Diageo Americas, Inc.

According to the sample coupon you provided, the promotion offers consumers a rebate of two dollars (\$2.00) on the purchase of a 750ml bottle of any varietal of Sterling Vineyards wine. To receive a rebate, consumers must mail in the rebate form along with a cash register receipt with the relevant item circled. The offer is valid from November 1 through December 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 promotion 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,

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. 15-455