

December 1, 2015

Sarah Abney
Jackson Family Enterprises, Inc.
421 Aviation Boulevard
Santa Rosa, CA 95403
VIA E-MAIL

RE: Kendall-Jackson & The Everygirl 2015 Holiday Sweepstakes

Dear Ms. Abney:

ISSUE: This correspondence is in response to your letter of November 17, 2015, in which you request legal review of a proposed sweepstakes promotion to be conducted in Pennsylvania by Kendall-Jackson Winery.

According to the official rules you provided, the “Kendall-Jackson & The Everygirl 2015 Holiday Sweepstakes” promotion is scheduled to run from December 1 through December 7, 2015. Consumers may participate online via the promotional website. One (1) entrant will be randomly selected to receive the grand prize of an “ultimate prize pack,” including holiday décor curated by The Everygirl, a gift card, and a gift basket. 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. 15-485