

March 9, 2016

Capricia Borrero
Coupon Specialist
Insight Resource Group
VIA E-MAIL

RE: Zonin USA Instant Rebates

Dear Ms. Borrero:

ISSUE: This correspondence is in response to your e-mail of March 7, 2016, wherein you request legal review of six instant rebate coupon promotions to be offered in Pennsylvania by your client, Zonin USA.

Through the first promotion, consumers can save \$2.00 instantly on the purchase of one 750ml bottle of Zonin Prosecco Wine. Through the second promotion, consumers can save \$2.00 instantly on the purchase of one 750ml bottle of Albola Wine. Through the third promotion, consumers can save \$2.00 instantly on the purchase of one 750ml bottle of Winemaker's Collection Wine. Through the fourth promotion, consumers can save \$2.00 instantly on the purchase of one 750ml of Castello del Poggio Moscato Wine. Through the fifth promotion, consumers can save \$2.00 instantly on the purchase of one 750ml bottle of Zonin Prosecco, Rosé, or Asti Wine. Through the sixth and final promotion, consumers can save \$2.00 instantly on one bottle of Primo Amore Moscato or Reisling Wine. The rebate coupons must be redeemed at the time of purchase. The rebate promotions are scheduled to run from February 15, 2016 to September 1, 2016. The rebate offers are limited to adults of legal drinking age, and there is a limit of one coupon per purchase relative to each promotion.

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.

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 Pennsylvania Liquor Control Board's ("PLCB") Fine Wine & Good Spirits stores from the Bureau of Product Selection remains. The total cost of all POS advertising material relating to any one brand of any one manufacturer at any one time may not exceed \$300.00 on a retail licensed premises. 47 P.S. § 4-493(20) (i).

Therefore, it would be permissible to conduct the proposed instant rebate coupon promotions described above in the Commonwealth in reference to the areas checked below:

- retail licensed premises.
- distributor licensed premises.
- both retail and distributor licensed premises.
- the PLCB's Fine Wine and Good 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.

Sincerely,

RODRIGO J. DIAZ
CHIEF COUNSEL

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

LCB Advisory Opinion No. 16-067