

March 24, 2016

Capricia Borrero
Coupon Specialist
Insight Resource Group
VIA E-MAIL

RE: Zonin USA Mail-in Rebate Promotions

Dear Ms. Borrero:

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

Through the promotions, consumers can save \$2.00 on the purchase of one, \$6.00 on the purchase of three, or \$18.00 on the purchase of six 750 ml bottles of Zonin Prosecco, Rosé, or Asti wine, Winemaker's Collection wine, Zonin Prosecco wine, Castello del Poggio wine, Ognigiorno Lambrusco wine, Albola wine, or Primo Amore wine. In order to receive the rebate relative to each promotion, consumers must mail a completed rebate form along with a cash register receipt with the qualifying purchases circled to the designated address. The rebate promotions are scheduled to expire on September 1, 2016. The rebate offer is limited to adults of legal drinking age, and there is a limit of one rebate per household for each promotion.

OPINION: This office has reviewed the proposed mail-in 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 is permissible to conduct the proposed mail-in rebate coupon promotions described above in the Commonwealth in reference to the area 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. 16-087