

April 5, 2016

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

**RE: Cambria Estate Winery “Mother of All Shopping Sprees
Sweepstakes”**

Dear Ms. Abney:

ISSUE: This correspondence is in response to your e-mail sent March 23, 2016, wherein you request legal review of the Cambria Estate Winery “Mother of All Shopping Sprees Sweepstakes.”

According to the “Official Rules” that you provided, the sweepstakes promotion is scheduled to begin on April 1, 2016, and runs until April 14, 2016. Interested individuals may enter the sweepstakes by visiting <http://blog.cambriawines.com/post/140863866821/mothers-day-shopping-sprees-sweepstakes>.

Entrants can receive one additional entry for taking each of the following actions: following Cambria’s Instagram account, following Hayneedle’s Instagram account, and following HelloFresh’s Instagram account. Entrants can also receive three additional entries into the sweepstakes if they check a box indicating that they wish to “opt-in” to the e-mail lists of Cambria, Hayneedle, and HelloFresh. Each entrant may accrue a maximum of seven entries into the sweepstakes.

One grand prize and two first prizes will be awarded for the sweepstakes. The winners will be selected in a random drawing to be conducted on or about April 15, 2016. The grand prize winner will receive a \$250.00 Hayneedle.com shopping spree and a one-month subscription to HelloFresh. The approximate retail value of the grand prize is \$550.00. The two first prize winners will receive a \$100.00 Hayneedle.com shopping spree and a one-month subscription to HelloFresh. The approximate retail value of each first prize is \$400.00. Alcoholic beverages are not part of any prize.

The sweepstakes is open only to legal residents of the United States who are at least twenty-one years of age. No purchase is necessary to enter or win the sweepstakes.

OPINION: Section 5.32(h) of the Pennsylvania Liquor Control Board's ("PLCB") Regulations states that a manufacturer, a manufacturer's representative, or a licensee may sponsor sweepstakes promotions subject to the following conditions:

- i. No purchase is necessary to enter.
- ii. Entrants shall be twenty-one years of age or older.
- iii. Retail licensed premises may only be involved as pick-up or drop-off points for entry forms and not for the conducting of drawings or the awarding of prizes.
- iv. Alcoholic beverages may not be part of the prize.

40 Pa. Code § 5.32(h).

This office has reviewed the proposed sweepstakes promotion and determined that it comports with applicable liquor laws and regulations, specifically section 493(24)(i) of the Liquor Code, 47 P.S. § 4-493(24)(i), and section 5.32(h) of the PLCB's Regulations, 40 Pa. Code § 5.32(h), and is 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 PLCB's Fine Wine and 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 retail licensed premises. 47 P.S. § 4-493(20)(i).

Therefore, it is permissible to conduct the proposed sweepstakes promotion 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 (POS only).

X 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. 16-109