

August 9, 2016

Elena Mendoza
Coupon Specialist
Insight Resource Group
3 Altarinda Road, Suite 301
Orinda, CA 94563
VIA E-MAIL

RE: Z. Alexander Brown Wine™ Instant Rebate

Dear Ms. Mendoza:

ISSUE: This correspondence is in response to your e-mail of August 2, 2016, wherein you request legal review of a proposed instant rebate promotion to be conducted in Pennsylvania.

According to the sample coupon you provided, the promotion offers consumers an instant rebate of \$3.00 on the purchase of one bottle of Z. Alexander Brown™ Wine. The coupon is scheduled to begin on August 29 and runs until October 31, 2016. The rebate coupon must be redeemed at the time of checkout. The rebate offer is limited to residents of Pennsylvania who are at least twenty-one years of 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.

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 Board’s wine and 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 rebate promotion 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 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.

Sincerely,



RODRIGO J. DIAZ
CHIEF COUNSEL

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

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