September 13, 2016

Mariana Antonison
VIA E-MAIL

RE: Santa Rita Instant Rebate

Dear Ms. Antonison:

ISSUE: This correspondence is in response to your e-mail of September 6, 2016, wherein you request approval, on behalf of Santa Rita wines, to conduct an instant rebate promotion in Pennsylvania.

According to the sample coupon you provided, the promotion offers consumers an instant rebate on purchases of any bottle of Santa Rita wine. Through the promotion, consumers can instantly save $1.00 on the purchase of any one bottle of Santa Rita wine. Consumer must redeem the rebate at the time of checkout. The rebate is available only to legal residents who are at least twenty-one years of age at the time of purchase to participate. The offer expires January 6, 2017.

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 Pennsylvania Liquor Control Board's ("PLCB") 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 proposed rebate promotions in the Commonwealth in reference to the area checked below:

___ retail licensed premises.

___ distributor licensed premises.

___ both retail and distributor licensed premises.

_X_ 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

LCB Advisory Opinion No. 16-358