

September 20, 2016

Capricia Borrero
Insight Resource Group
VIA E-MAIL

RE: Eight Zonin USA Mail-in Rebate Promotions

Dear Ms. Borrero:

ISSUE: This correspondence is in response to your e-mail of September 6, 2016, wherein you request approval on behalf of Zonin USA to conduct eight mail-in rebate promotions in Pennsylvania.

According to your e-mail and the sample coupons you provided, the general terms of the promotions are as follows. Consumers may receive up to \$18.00 by mail on the purchase of 750ml bottles of various wine products. With respect to each offer, consumers may receive \$1.00 off one bottle, \$6.00 off three bottles, or \$18.00 off six bottles. To receive a rebate, consumers must mail to the address provided the rebate coupon along with an original cash register receipt that includes the store name. The offers are valid between September 1, 2016, and March 31, 2017, and there is a limit of one rebate per household. The offers are limited to residents of certain states, including Pennsylvania, who are at least twenty-one years of age.

The eight products/product groupings involved in the promotions are:

- Albola wine
- Catello del Poggio Moscato wine
- Tenuta Ca' Bolani, Castello del Poggio, Rocca di Montemassi, Masseria Altemura, and/or Feudo Principi di Butera wine
- Primo Amore wine
- Winemakers Collection wine
- Zonin Prosecco wine
- Zonin Prosecco, Rosé, or Asti wine
- Zonin Rosé wine

OPINION: This office has reviewed the above 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 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 rebate promotions 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 wine and spirit stores, subject to approval of the Bureau of Product Selection (POS only).
- 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