

October 28, 2016

David Romine  
Alcohol Beverage Specialist  
Kalik Lewin  
**VIA E-MAIL**

**RE: Danzante Wines Escalating Mail-in Rebate**

Dear Mr. Romine:

ISSUE: This correspondence is in response to your e-mail of October 14, 2016, wherein you request legal review of a proposed mail-in rebate promotion to be conducted in Pennsylvania by your client, Folio Fine Wine Partners.

According to the sample coupon you provided, the promotion offers consumers an escalating rebate on purchases of one or more bottles of Danzante wine. Specifically, consumers may receive \$1.00 on the purchase of one bottle, \$5.00 on the purchase of three bottles, or \$12.00 on the purchase of six bottles. To receive a rebate, consumers must mail to a specified address the completed rebate form and the original cash register receipt with the qualifying purchase(s) circled. The offer expires December 31, 2016, and is limited to adults of legal drinking 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.

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.

- 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, Marketing and Merchandising  
Stacy Kriedeman, Director, Marketing Communications  
Joseph Puhalla, Director, Bureau of Product Selection

LCB Advisory Opinion No. 16-419