

February 14, 2017

Capricia Borrero  
Insight Resource Group  
3 Altarinda Road, Suite 301  
Orinda, CA 94563  
**VIA E-MAIL**

**RE: Hess Collection Mail-in Rebate Promotions**

Dear Ms. Borrero:

ISSUE: This correspondence is in response to your e-mail of February 3, 2017, wherein you request approval, on behalf of The Hess Collection, to conduct a mail-in rebate promotion in Pennsylvania.

According to the sample coupon you provided, consumers may save \$2.00 by mail on one bottle of Hess Select wine or \$36.00 by mail on twelve bottles of Hess Select wine. To receive the rebate, consumers must submit the original rebate form, including the consumer's name, address, e-mail, and qualifying product UPC codes, along with the original register receipt, to the designated mailing address. The offer expires June 30, 2017 and there is a limit of one rebate per household. The offer is limited to residents of certain states, including Pennsylvania, who are at least twenty-one years of age.

OPINION: This office has reviewed the above rebate offer and has determined that it comports with the 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") 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 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 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  
Dale Horst, Director of Marketing and Merchandising  
Stacy Kriedeman, Director, Marketing Communications  
Thomas Bowman, Director, Bureau of Product Selection