

January 28, 2019

Allison O'Donnell
Account Coordinator
Avid Marketing Group
100 Corporate Place, Suite 200
Rocky Hill, CT 06067
VIA E-MAIL

RE: Heineken® Mail-In Rebate (HEI1014092W)

Dear Ms. O'Donnell:

ISSUE: This correspondence is in response to your e-mail dated January 9, 2019, wherein you request approval to conduct a mail-in rebate promotion in Pennsylvania.

According to the sample coupon you provided, consumers can save \$4.00 on the purchase of one twelve-pack of Heineken®, Heineken® Light, **or** Amstel® Light in twelve-ounce bottles or cans. To redeem the rebate, consumers must mail the offer form, the original UPC label for each qualifying product package, and the original cash register receipt to the address provided. The rebate promotion was scheduled to begin on January 13, 2019 and ends on February 9, 2019. The rebate is only open to adults who are at least twenty-one years of age at the time of purchase. There is a limit of one coupon, per person.

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") Fine Wine & 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 would be permissible to conduct the proposed rebate offer 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 Fine Wine & Good Sprints 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

LCB Advisory Opinion No. 19-005