

January 28, 2019

Erica Buehler
Avid Marketing Group
100 Corporate Place, Suite 200
Rocky Hill, CT 06067
VIA E-MAIL

RE: Shiner Beer Mail-In Rebate (TGC1023903W)

Dear Ms. Buehler:

ISSUE: This correspondence is in response to your e-mail dated January 16, 2019, wherein you request approval to conduct three mail-in rebate promotions in Pennsylvania.

According to the sample coupons you provided, the first promotion offers a rebate of \$5.00 on the purchase of any one twelve-pack **or** two six-packs of Shiner beer. The second promotion offers a rebate of \$5.00 on the purchase of any two twelve-packs of Shiner beer. The third promotion offers a rebate of \$10.00 on the purchase of any one twenty-four-pack, two twelve-packs, **or** four six-packs of Shiner Bock. To redeem any of the rebates, consumers must mail the original rebate form along with the original store cash register receipt to the address provided. The rebate offers are open only to adults who are at least twenty-one years of age at the time of purchase. The rebate offers are scheduled to begin on February 1, 2019 and end on December 31, 2019. There is a limit of one coupon, per person for each promotion.

OPINION: This office has reviewed the proposed 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 they 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 & 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 offers 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 Spirits 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. 19-010