



September 1, 2020

Jamie Carson
Koupon
on behalf of Vermont Hard Cider Company, LLC
VIA E-MAIL

RE: Woodchuck Hard Cider Digital Rebate

Dear Ms. Carson:

ISSUE: This correspondence is in response to your e-mail dated August 7, 2020, wherein you request approval to conduct a digital rebate promotion in Pennsylvania.

According to the terms and conditions you included in your e-mail, consumers can save \$4.00 on the purchase of one twelve-pack or two six-packs of Woodchuck Hard Cider. To redeem the rebate, the consumer must follow the consumer journey you attached to your e-mail and will be refunded via PayPal or Venmo. The rebate promotion is scheduled to begin on September 1, 2020, and ends on October 31, 2020. The rebate is open only to adults who are at least twenty-one years of age at the time of purchase and is limited to one coupon per household.

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 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. 20-207