



September 16, 2020

David Romine
Alcohol Beverage Specialist
357 Castleton View Road
Castleton, VA 22716
On behalf of Flat Top Hills
VIA E-MAIL

RE: Flat Top Hills Instant Rebate Coupon

Dear Mr. Romine:

ISSUE: This correspondence is in response to your e-mail dated August 30, 2020, wherein you request approval to conduct an instant rebate promotion in Pennsylvania.

According to the sample coupon you provided, consumers will receive an instant \$1.00 rebate on the purchase of any bottle of Flat Top Hills wine. The rebate promotion was scheduled to begin on September 1, 2020, and ends on December 31, 2020. 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 offer per purchase.

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 materials relating to any one brand of any one manufacturer at any one time may not exceed \$300.00 on a retail licensed premises. 47 P.S. § 4-493(20)(i).

Therefore, it would be permissible to conduct the proposed instant 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 Fine Wine & Good 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
Michael Demko, Executive Director
Elizabeth Brassell, Director of Policy & Communications
Stacy Kriedeman, Director, Marketing Communications
Thomas Bowman, Director, Bureau of Product Selection
Ra-lbpromo@pa.gov

LCB Advisory Opinion No. 20-219

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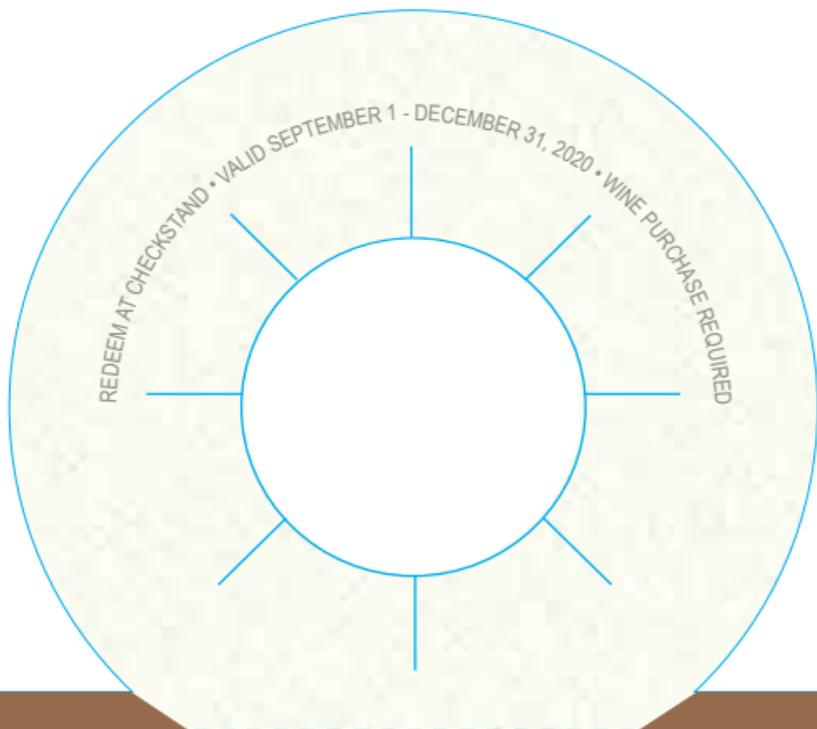
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on any Flat Top Hills wine

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SAVE \$1 NOW ON ANY FLAT TOP HILLS WINE

MANUFACTURER'S COUPON • REDEEM AT CHECKSTAND

WINE PURCHASE REQUIRED • VALID SEPTEMBER 1 - DECEMBER 31, 2020

CONSUMER: Take this coupon to the checkout stand and save \$1.00 instantly on any Flat Top Hills wine. Limit one coupon per purchase. You must be 21 years or older. Reproduction, purchase, sale or trade of coupon, proof of purchase, or cash register receipt is prohibited. No doubling of coupons. Void where prohibited or restricted by law.

RETAILER: You will be reimbursed the face value plus 8 cents if submitted in compliance with our redemption policy which is available upon request. ANY OTHER USE CONSTITUTES FRAUD. Offer not available to C. Mondavi & Family employees, distributors, retailers, wholesalers or their respective employees. Consumer must pay sales tax. Invoices proving purchase of stock to cover coupons must be submitted upon request. Cash value 1/20 cent. Coupons received after 3/1/2021 will not be honored. Fraudulent submissions could result in federal prosecution under mail fraud statutes (18 U.S.C. § 1341-1342). Mail to: INMAR Offer FT021801, CMS Dept. 86012, One Fawcett Drive, Del Rio, TX 78840. Void where prohibited by law.

0086012-021801



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"The Dunnigan Hills hold a special place in my memory as the landscape where my cousins and I would play hide-and-seek and explore the vineyards. Those were carefree times where we could simply be ourselves. That's the spirit of Flat Top Hills."

Angelina Mondavi

Angelina Mondavi
Consulting Winemaker



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"Relaxing on my porch in the hills, looking up at the stars with a cigar and a glass of Cabernet Sauvignon – that's my Flat Top Hills moment."

Randy Herron

Randy Herron, Winemaker



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38.7943° N, 121.9552° W



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