

October 1, 1998

Daniel J. Williams

Area Manager PA

SEAGRAM BEVERAGE COMPANY

15 Ashlea Drive

Glenmoore, PA 19343

Dear Mr. Williams:

ISSUE: This office is in receipt of your August 28, 1998 letter in which you inquire whether Seagram Beverage Company may offer to consumers wet samples of malt-based beverages on retail licensed premises during normal business hours.

OPINION: Manufacturers, their representatives, distributors, importing distributors or retail licensees may conduct product tastings for market research and for the purpose of educating consumers as to the qualities and availability of malt or brewed beverages on unlicensed or on retail licensed premises (i.e. hotels, restaurants and clubs) provided: (a) products used are legally procured, properly registered and taxes paid, (b) there is no purchase requirement with the tasting, (c) there is no cooperative advertising associated with the tasting, and (d) no more than one standard-sized alcoholic beverage of each product may be provided to each tasting participant. [PLCB Advisory Notice No. 10 (Fourth Revision)]. Please be advised that wet sampling of malt-based beverages may not be conducted on distributor and importing distributor licensed premises.

Please do not hesitate to contact this office if you need any further information. I have enclosed Advisory Notice No. 10 (Fourth Revision) for your review.

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

Daniel J. Williams

October 1, 1998

Page Two

SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Very truly yours,

FAITH S. DIEHL

CHIEF COUNSEL

Enclosure

cc: Pennsylvania State Police-

Bureau of Liquor Control Enforcement

Refer to: (717) 783-9454

FAX: (717) 787-8820

LCB Advisory Opinion No. 98-320