

January 5, 1999

Michelle M. Rabe
Legal Assistant
ANHEUSER-BUSCH COMPANIES, INC.
One Busch Place
St. Louis, MO 63118-1852

RE: Red Baron Rebate (File #98-460)

Dear Ms. Rabe:

ISSUE: This is in response to your facsimile of December 21, 1998 requesting approval for a \$4.00 rebate on the purchase of Red Baron Pizza and Budweiser Beer. Consumers, 21 years of age or older, purchasing a 24 pack or larger of "Bud Family" (Budweiser or Bud Light) and two Red Baron 12" pizzas would be required to submit a mail-in certificate and an original or photocopied, dated cash register receipt with the Red Baron purchase circled in order to receive the \$4.00 rebate.

OPINION: Please be advised that the official mail-in certificate you submitted for evaluation states that this offer is void in Pennsylvania.

The Liquor Code permits monetary rebates on purchases of malt or brewed beverages with proof of purchase in the form of a sales slip or receipt attached to the coupons. [47 P.S. §4-493(24)]. Although you require a dated cash register receipt as proof of purchase for Red Baron Pizza, no such requirement is made with regard to the purchase of Budweiser or Bud Light. If the proof of purchase in the form of a sales slip or receipt were to be required for your beer products, this office could approve the referenced rebate offer. Unfortunately, this promotion cannot be approved as submitted.

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

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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.

Very truly yours,

FAITH S. DIEHL
CHIEF COUNSEL

cc: Pennsylvania State Police,
Bureau of Liquor Control Enforcement

Refer to: (717) 783-9454
FAX: (717) 787-8820

LCB Advisory Opinion No. 99-009