

March 2, 1999

Jerry Buchanan  
Manager, Regulatory Affairs  
JIM BEAM BRANDS CO.  
510 Lake Cook Road  
Deerfield, IL 60015-4964

**RE: Jim Beam's Back Room Band Search Rock 1999**

Dear Mr. Buchanan:

**ISSUE:** This is in response to your letter of February 9, 1999 requesting reconsideration of LCB Advisory Opinion #99-33. Your letter appears to state that no contest will take place at retail licensed premises in Pennsylvania. Your letter of January 12, 1999 stated "In April, each of those bands will perform at on-premise locations for a panel of judges. At the end of the evening the judges will select one winner from each of the five markets." The official rules submitted with both sets of both letters do not make reference to the location of the contest at the local level.

**OPINION:** If no portion of this contest is held on retail licensed premises and if no advertising is provided to retail establishments regarding this contest, Jim Beam Brands Company would be permitted to conduct this contest in Pennsylvania. Under the aforementioned circumstances, on-premises locations could be utilized only as pick up points for entry forms.

If this office can be of any further assistance, please feel free to contact this office.

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.

Very truly yours,

FAITH S. DIEHL  
CHIEF COUNSEL

cc: Bureau of Liquor Control Enforcement,  
Pennsylvania State Police

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

LCB Advisory Opinion No. 99-066