

March 12, 1999

Scott Schleifstein
COHEN & SILVERMAN
360 Lexington Avenue
New York, NY 10016

RE: Labatt U.S.A.'s "Tecate's Gear" Sweepstakes

Dear Mr. Schleifstein:

ISSUE: This is in response to your inquiry of March 3, 1999 to this office in which you request an opinion as to the legality of conducting certain promotions and point-of-sale items as described in the enclosed correspondence.

OPINION: This office has reviewed the proposed promotion (and accompanying point-of-sale materials) and determined that it comports with applicable liquor laws and regulations, specifically section 493(20)(i). [47 P.S. §4-493(20)(i)]. Therefore, it is permissible to conduct such event(s) in the Commonwealth on the areas checked below:

- retail licensed premises.
- distributor licensed premises.
- both retail and distributor licensed
premises.
- wine & spirit shoppes, subject to approval of Bureau of
Logistics.
- other.

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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
Robert Kaskiel

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

LCB Advisory Opinion No. 99-082