

April 6, 1999

Barbara Gilleran
Regulatory Compliance Specialist
Miller Brewing Company
3939 W. Highland Blvd.
P.O. Box 482
Milwaukee, WI 53201-0482

RE: Leinenkugel Point-of-Sale

Dear Ms. Gilleran

ISSUE: This is in response to your inquiry of March 15, 1999 to Robert Kaskiel that was forwarded to this office in which you request an opinion as to the legality of conducting certain activities in Pennsylvania as described in the enclosed correspondence.

OPINION: This office has reviewed the proposed point-of-sale materials and determined that they comport with applicable liquor laws and regulations, specifically Liquor Code section 493(20)(i) [47 P.S. Section 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 & spirits shoppes, subject to the approval of the Bureau of Logistics.

other, Miller Brewing Company may not use Table Tent with Tear Pad or Scratch Off Cards to conduct a contest, tournament or event on retail licensed premises in Pennsylvania. [40 Pa. Code Section 5.32].

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

Enclosure

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

Advisory Opinion No. 99-114