

April 13, 1999

Ms. Barbara Gilleran  
Regulatory Compliance Specialist  
MILLER BREWING COMPANY  
3939 West Highland Boulevard  
P. O. Box 482  
Milwaukee, WI 53201-0482

**In re: Molson Brands POS/Games**

Dear Ms. Gilleran:

**ISSUE:** This is in response to your inquiry of March 9, 1999 to Robert Kaskiel that was forwarded to this office on March 22, 1999, 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 section 493(24) of the Liquor Code. [47 P.S. Section 4-493(24)]. Therefore, it is permissible to use such materials in the Commonwealth on the areas checked below:

- retail licensed premises.
- distributor licensed premises.
- both retail and distributor licensed premises, except for the hand stamp which is considered equipment.
- wine & spirit shoppes, subject to approval of Bureau of Logistics.
- other. You did not provide us with any information to determine whether the promotion you wish to run is lawful. Should you decide to run this promotion in Pennsylvania, you will need to submit the details of the promotion. Generally, manufacturers may not sponsor contests on retailers' premises.

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

Enclosure

c.c. Pennsylvania State Police

Bureau of Liquor Control Enforcement  
R. Kaskiel

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

LCB Advisory Opinion No. 99-130