

May 6, 1999

Michelle M. Rabe
ANHEUSER-BUSCH COMPANIES
One Busch Place
Legal Department 202-6
St. Louis, MO 63118

RE: Budweiser Wish You Were Here Sweepstakes

Dear Ms. Rabe:

ISSUE: This is in response to your inquiry of March 30, 1999 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 promotion and determined that it comports 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 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.

The 7th Inning Scratch Card is approved for distributor licensed premises but is not approved for retail licensed premises inasmuch as manufacturers may not participate in events, contests or tournaments on retail premises except as drop-off and pick-up points for manufacturers' sweepstakes [40 Pa. Code Section 5.32 and PLCB Advisory Notice No. 10th (4th Revision)].

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 P. Kaskiel

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

Advisory Opinion No. 99-153