

May 20, 1999

David Romine  
NATEMAN & KALIK  
1200 G Street, N.W.  
Suite 360  
Washington, DC 20005

**RE: 'The Tequila Rose Challenge' and 'The Tequila Rose Mixed Doubles Tournament'**

Dear Mr. Romine:

**ISSUE:** This is in response to your correspondence of February 23 and April 20, 1999 in which you request an opinion as to the legality of conducting the two above-referenced promotions in Pennsylvania as described in the enclosed correspondence.

**OPINION:** This office has reviewed the proposed promotions (and accompanying point-of-sale materials) and determined that they do not comport with applicable laws and regulations, specifically section 5.32 of the Board's regulations [40 Pa. Code Section 5.32(e)-(g)]. Manufacturer's may not sponsor or participate in events, tournaments or contests on retail licensed premises. A bona fide charity or the licensee may sponsor such a bowling contest however.

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. 99-184