

June 1, 1999  
Ms. Michelle M. Rabe  
Legal Assistant  
ANHEUSER-BUSCH COMPANIES  
One Busch Place  
St. Louis, MO 63118-1852

Dear Ms. Rabe:

ISSUE: In your April 29, 1999 fax to this office, you inquired whether it would be permissible for Anheuser-Busch to provide Dale Earnhardt, Jr. commemorative posters to retailers for ultimate distribution to consumers. You forwarded a copy of the artwork for the poster which consists of drawings of Mr. Earnhardt's car from various angles with Anheuser-Busch's sponsorship prominently displayed.

OPINION: Section 493(24) of the Liquor Code allows manufacturers and licensees to provide advertising novelties with a value of \$15.00 or less to other licensees and consumers. Such advertising novelty giveaways may or may not be conditioned on the purchase of an alcoholic beverage. While you did not provide information regarding the value of the poster, so long as the poster has a value of less than \$15.00, it would be permissible for retailers to provide said poster to consumers. It would likewise be permissible for your company to provide the posters to licensed establishments in this Commonwealth.

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  
R. Kaskiel

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

LCB Advisory Opinion No. 99-198