

August 16, 1999

Telephone: 717-783-9454
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Caryn P. Sachs
Buchman & O'Brien
505 Sansome Street
Suite 1500
San Francisco, CA 94111

RE: Kendall-Jackson Winery Point-of-Sale Advertising

Dear Ms. Sachs:

ISSUE: This is in response to your inquiry of August 3, 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 point-of-sale materials and determined that it comports with applicable liquor laws and regulations, specifically section 13.21 of the Board's regulations [40 Pa. Code Section 13.21]. Therefore, it is permissible to conduct such event(s) in the Commonwealth on the areas checked below:

- retail licensed premises (restaurants, hotels, clubs, retail dispensers).
- distributor licensed premises.
- both retail and distributor licensed premises.
- wine and spirits shoppes, subject to approval of the Bureau of Logistics.
- other.

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
J. Hamilton, Director of Marketing
A. Connell, Director, Bureau of Store Operations
M. Kerwin, Director, Bureau of Consumer Relations
C. Rose, Director, Bureau of Logistics

LCB Advisory Opinion No. 99-291