

September 14, 1999

Telephone: 717-783-9454
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Tom Scott
Scotts Grille
212 Locust Street
Harrisburg, PA 17101

Dear Mr. Scott:

ISSUE: In your August 31, 1999 letter, you inquire whether it is permissible for Scotts Grille, holder of Restaurant Liquor License R-17663 to offer a free bottle of wine to individuals who purchase dinner. You intend to make this offer available to members of the Legislature when they return for their new legislative session.

OPINION: Advisory Notice No. 10 (5th Revision) (copy enclosed) allows licensees to offer one free drink as part of a promotion. As it appears that your bottle of wine would contain more than one free drink, the promotion as you proposed it would not be permissible. A promotion in which you would give patrons one free glass of wine would be permissible, 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

c.c. Pennsylvania State Police
Bureau of Liquor Control Enforcement

LCB Advisory Opinion No. 99-314