

September 23, 1999

Telephone: 717-783-9454
FAX: 717-787-8820

Dr. John G. Landis
c/o VYNECREST
172 Arrowhead Lane
Breingsville, PA 18031

Dear Dr. Landis:

ISSUE: This is in response to your letter of August 22, 1999 to this office in which you wrote on behalf of the Lehigh Valley Wine Trail. The Wine Trail and the Lehigh Valley Tourist Bureau are seeking ways to increase tourism in your region. The month of March 2000 is being promoted by the Tourist Bureau as Lehigh Valley Wine Trail Month. The Wine Trail is a nonprofit organization consisting of eight licensed wineries. The Wine Trail plans to sell a 'passport,' which will allow its holder to visit any of the eight winery members on Saturdays in March 2000 and receive a wine glass and have the passport punched. Persons who visit all eight wineries will be eligible for a drawing for prizes provided by local restaurants, motels, and hotels. Wine will not be a prize. The passports will be collected and the drawing will take place at the Tourist Bureau. The drawing will also be open to individuals who do not buy a passport, but instead pick up a drawing entry form at any of the wineries and have this entry form punched at each winery just like the passport holders. The Tourist Bureau and Local Public Radio would be among the sponsors of the event.

OPINION: It appears that the promotion you are proposing, if operated in the way you describe, will not violate any liquor laws. Be aware, however, that the final drawing for prizes should not be held on a retail licensed premises, such as a restaurant, and that no alcohol may be given as a prize.

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. 99-317