

September 30, 1999

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

**RE: Kendall-Jackson 'Goes Well With the Holidays' Sweepstakes Promotion/Cookbook Offer**

Dear Ms. Sachs:

ISSUE: This is in response to correspondence dated September 8, 1999 requesting approval for a Kendall-Jackson promotion through point-of-sale at both off-premises and on-premises licensed retail accounts. To participate in the contest, entrants must be 21 years of age or older. The entrants can acquire official entry forms at both off-premises and on-premises licensed retail accounts. No purchase is necessary to enter the contest. The winners are notified by mail.

OPINION Since the licensed retail premises will only be used as pick-up points for entry forms, no purchase is necessary, and the prize is not awarded on the licensed premises, the proposed contest is permissible. As the contest offering that you have described is permissible, please contact the Bureau of Logistics at (717) 787-6646 for further action regarding placement of the entry forms.

In regards to the Kendall-Jackson cookbook offer, it would be permissible to attach bottlenecks which offer state residents the opportunity to submit a check to the winery for receipt of a cookbook.

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

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. 99-326