

December 14, 1999

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Norm Cramer  
Assistant General Counsel  
COORS BREWING COMPANY  
311 10<sup>th</sup> St., NH335  
Golden, CO 80401-4030

**RE: Original Coors/Coors Light 2000 January MVP Mega (MEG-0283)**

Dear Mr. Cramer:

ISSUE: This is in response to your inquiry of November 4, 1999 to Robert Kaskiel, received in this office November 19, 1999, in which you request approval of a sweepstakes and certain point-of-sale items as described in the enclosed correspondence.

OPINION: This office has reviewed the proposed sweepstakes and accompanying point-of-sale materials and determined that, with certain exceptions, they comport with applicable liquor laws and regulations, specifically sections 493(20)(i) and 493(24) of the Liquor Code. [47 P.S. Sections 4-493(20)(i); 4-493(24)]. Therefore, it would be permissible to conduct the sweepstakes in the Commonwealth of Pennsylvania in both retail and distributor licensed premises subject to the following restrictions.

The coasters and pint glasses may not be provided to retail licensed premises in Pennsylvania because it is this office's opinion that they are equipment, and are, therefore, prohibited by section 493(17) of the Liquor Code. [47 P.S. Section 4-493(17)]. Retail licensees may, however, obtain these items by purchasing them directly from unlicensed third parties.

Further, section 493(24) of the Liquor Code generally prohibits the giving of anything of value to induce the purchase of alcohol. [47 P.S. Section 4-493(24)]. An exception to this general rule, however, allows the offering of novelty items of nominal value with a purchase of alcohol. The Board has defined advertising novelties as anything with a wholesale cost of \$15.00 or less which advertises the licensee or the manufacturer. [PLCB Advisory Notice No. 10 (5<sup>th</sup> Revision), a copy of which is enclosed]. Examples of such items are matches, disposable lighters, bottle or can openers, tee-shirts, caps, cork screws, pens, pamphlets and ashtrays. The stadium cups, of plastic, may be provided to retail licensees. However, the fleece pullover, fleece blanket/seat cushion and spalding football all exceed the \$15.00 value established by the Board for advertising novelties. Therefore, these items may not be provided to licensees.

Finally, be advised that the total cost of all interior point-of-sale advertising material relating to any one brand of any one manufacturer displayed at any one time may not exceed \$300.00, whether they consist of one item or several items. There are no size limits for interior displays. Window and door displays, however, may not exceed 600 square inches. [Advisory Notice No. 10 (5<sup>th</sup> Revision)].

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  
R. Kaskiel

LCB Advisory Opinion No. 99-390