

December 29, 1999

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Vernon Shire  
Cobblestone's  
205 South George Street  
York, PA 17403

Dear Mr. Shire:

ISSUE: In letters dated December 9 and 15, 1999 from Carey Bajorek submitted on your behalf, you ask whether a restaurant liquor licensee may conduct a Superbowl Promotion in which a variety of random drawings would be held and prizes would be given away by the licensee. Tickets to enter the drawings would be available at various businesses in the area which would donate the prizes to be awarded.

OPINION: It would be permissible for a restaurant licensee to conduct a number of drawings for prizes as long they are self-sponsored (paid for and carried out by the licensee) and there is no cost to participants in order to enter the drawings. It would also be permissible to advertise the names of those businesses which have donated the prizes to the licensee. There is a \$500.00 prize limit for any event, tournament or contest and a total limit of \$5,000.00 in a seven day period. [40 Pa. Code Section 5.32].

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  
Carey Bajorek

LCB Advisory Opinion No. 99-396