

December 16, 1999

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Mike O'Sullivan
Director
Merchandising Systems
Anheuser-Busch, Inc.
One Busch Place
St. Louis, MO 63118-1852

RE: 2000 Budweiser Fishing Catch & Release Promotion

Dear Mr. O'Sullivan:

ISSUE: This is in response to your inquiry of November 19, 1999 to Robert Kaskiel that was forwarded to this office on December 1, 1999 in which you request an opinion as to the legality of conducting certain activities in Pennsylvania as described in the enclosed correspondence.

OPINION: This office has reviewed the proposed promotion (and accompanying point-of-sale materials) and determined that it comports 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) and 4-493(24)]. Therefore, it is permissible to conduct such event(s) in the Commonwealth on the areas checked below:

- Retail licensed premises (restaurants, hotels, clubs, retail dispensers).
- Distributor licensed premises.
- Both retail and distributor licensed premises.
- Wine and spirits shoppes, subject to approval of the Bureau of Logistics.
- You may wish to contact the Bureau of Alcohol, Tobacco and Firearms to determine the legality of this promotion under federal law.

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. 99-398