

1972 WL 25316 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 16, 1972

***1 Re: No. 5—Liquor—Regulations AL—Regulations No. 7.**

Mr. Joe G. Shinn
Director
South Carolina Alcoholic Beverage Control Commission
Box 1445
Columbia, South Carolina 29202

Dear Director Shinn:

Alex Macaulay referred to me your request for an opinion on the legality of the Grande Canadian 'Southern 500' Sweepstakes proposed by Columbia Distributing Corporation. In my opinion such a contest is a violation of AL—Regulation No. 7 of the Alcoholic Beverage Control Commission, which limits advertising of wares of wholesale and retail dealers to periodicals and allows retailers to advertise name and address on items with prior approval of the Commission:

'AL—Regulation No. 7. A wholesale or retail dealer may advertise his wares in magazines, newspapers and other publications issued at regular intervals and no advertisement of a retail dealer shall contain a direct or indirect reference to price. Also a retail dealer may advertise his name and address on matches, calendars, recipes, etc., provided prior approval of the Alcoholic Beverage Control Commission has been obtained.'

If these Sweepstakes are not prohibited by AL—Regulation No. 17 as a 'thing of value,' they are certainly precluded as advertisement under AL—Regulation No. 7. In my opinion, therefore, the Grande Canadian 'Southern 500' Sweepstakes constitute unlawful advertisement.

Feel free to contact me for any further clarification or assistance.

Sincerely,

Hardwick Stuart, Jr.
Assistant Attorney General

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