

State of Louisiana
Office of Alcohol and Tobacco Control

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POLICY ON COUPONS AND REBATES

Current as of July 18, 2021

High Content Alcoholic (excluding Malt Beverages)

Except as otherwise provided by law, coupon and rebate offers, promotions or marketing campaign of alcoholic beverages of high alcoholic content, excluding malt beverages, are allowed in accordance with the following restrictions.

- Any coupon or rebate offer, promotion, or marketing campaign must be redeemable directly by the manufacturer or a third-party, including but not limited to, a clearinghouse retained by the manufacturer at its sole expense.
- No retailer can be required to participate in any offer, promotion, or marketing campaign.
- No retailer can be required to bear any of the costs associated with any offer, promotion, or marketing campaign.
- No one under the legal drinking age during the time of the offer, promotion or marketing campaign may participate in any offer, promotion, or marketing campaign.
- All coupon or rebate offers, promotions, and marketing campaigns must be for a specified time not to exceed 90 days from the first date on which such offers may be redeemable.
- No coupon or rebate offer, promotion, or marketing campaign may result in any sale of alcoholic beverages for a price of less than 6 percent above the invoice cost.

Low Content Alcoholic Beverages (including Malt Beverages of All ABV)

Except as otherwise provided by law, coupon and rebate offers, promotions or marketing campaigns of malt beverages of not more than or more than 6 percent alcohol by volume are allowed with the following restrictions.

- Instantly Redeemable Coupons (IRCs) shall be prohibited. Coupons and rebates shall only be redeemable by mail.
- When marketing more than one product, "cross-merchandising" or "cross-promotion", mail-in rebates ("MIRs") shall only be redeemable upon the providing of proof of purchase of all products involved in the coupon or rebate marketing, "cross-merchandising" or "cross-promotion" offer.
- Coupon and rebate values shall be equal to or less than the following:
 - a. packages containing no less than 6 and no more than 11 single units, \$1;
 - b. packages containing no less than 12 and no more than 17 single units, \$2;
 - c. packages containing no less than 18 and no more than 23 single units, \$3;
 - d. packages containing no less than 24 or more single units, \$4.
- Wholesale or retail dealers of malt beverages shall not incur any cost in connection with any coupon or rebate offers, promotions or marketing campaigns.



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Definitions related to Sweepstakes & Promotions

- **Enhancer**—an item used as part of a display and which may be awarded to a customer who shops in a retail outlet voluntarily participating in a contest, offer, promotion, sweepstakes, or advertising or marketing campaign, the object of which is to award the enhancer to a winner thereof.
- **Sweepstakes**—any program which employs any enhancer(s) that exceed \$155 in value as part of a retail display for any contest, offer, promotion, or advertising or marketing campaign.

ENHANCERS

Enhancers, as defined in this Chapter, may be used as part of a contest, offer, promotion, sweepstakes, or advertising or marketing campaign.

- Items may include ice chests, grills, rafts, and other items not to exceed \$155 in value. Industry members utilizing enhancers must provide either entry forms and a drop box in which all entries must be placed, a mailing address to which entries may be sent, or an Internet or other electronic address where entries may be accepted, and post the date of the official prize drawing.

SWEEPSTAKES

Sweepstakes, as defined in this Chapter, may be used as part of a contest, promotion, or advertising or marketing campaign with the following restrictions.

- Enhancers that exceed \$155 in value, such as four-wheel all-terrain vehicles, trips, etc., may be utilized as part of a sweepstakes.
- Industry members and wholesalers must offer the opportunity to participate in any sweepstakes conducted to the entire retail base which the participating wholesalers serve.
- Participation by retailers must be voluntary.
- Enhancers cannot be displayed within any retail outlet.
- Photographs or models of enhancers may only be displayed, provided the photographs or models do not exceed \$155 in value.
- Industry members conducting sweepstakes must provide entry forms and a drop box in which all entries must be placed, a mailing address to which entries may be sent, or an Internet or other electronic address where electronic entries may be accepted, and post a date on which the official prize drawing will occur.
- Industry members are prohibited from purchasing enhancers from any retail outlet participating in the display or sweepstakes.
- Retail owners, industry members, and their employees and family members are not eligible to participate in any display or sweepstakes drawing allowed under provisions of this Section.