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| *September 30, 2005* |

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**1. EU Lawmakers Criticize Wine Deal With U.S.**

*By Raf Casert - The Associated Press*

September 27, 2005

BRUSSELS, Belgium -- European lawmakers proclaimed winemaking the essence of their culture and recalled the pre-Roman drinking heritage as they criticized a provisional deal with Washington that would increase U.S. imports into a glutted European market.

In an intense debate rife with anti-American cliches about McDonald's and Coca Cola, European Union parliamentarians showed their opposition to a deal signed two weeks ago that aimed to settle a 20-year-old dispute over rules on winemaking and labeling.

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|  | - D'Arcy Barrett, a saleswoman with Premier Cru wine store in Emeryville, California, in the United States, holds French wines, Dom Perignon champagne, left, and Chablis Grand Cru, in this Thursday, Sept. 15, 2005 file photo. European Union lawmakers on Tuesday, Sept. 27, 2005 slammed a provisional EU-U.S. deal on the trans-Atlantic wine trade, claiming it was a cave-in to American interests and threatened the essence of European culture. (AP Photo/Paul Sakuma, File)- D'Arcy Barrett, a saleswoman with Premier Cru wine store in Emeryville, California, in the United States, holds French wines, Dom Perignon champagne, left, and Chablis Grand Cru, in this Thursday, Sept. 15, 2005 file photo. European Union lawmakers on Tuesday, Sept. 27, 2005 slammed a provisional EU-U.S. deal on the trans-Atlantic wine trade, claiming it was a cave-in to American interests and threatened the essence of European culture. (AP Photo/Paul Sakuma, File) (Paul Sakuma - AP)  |

Christa Klass of the European People's Party, the assembly's largest group, condemned the interim agreement as unacceptable and said the import conditions for U.S. wine were far too lenient. Several lawmakers joined the EPP in calling for tougher action.

The deal still has to be approved by the 25 EU member states, and with a European wine industry in an overproduction crisis, it could run into more opposition over the coming months.

The EU farmers' organization COPA-COGECA joined the opposition Tuesday, saying the "oenological practices applied in the United States pose a fundamental problem as far as the very definition of wine is concerned." Europeans specifically object to the possibility of adding up to 7 percent water to wine and using wood chips to get that popular oaky, smoked vanilla flavor.

"Water in wine is something which is unimaginable for us and unacceptable to our consumers," said Klass, who represents the German Riesling-producing Mosel region. "We don't need artificial wine."

She said the deal sent a bad message to farmers across Europe as they were fanning out into their vineyards for the fall harvest. "They feel they have been sold off," she said.

Jean-Claude Martinez, right-wing Front Nationale lawmaker from France's Languedoc-Roussillion, said his electorate would not stand for it.

"Our winemakers will revolt against this, and they will have everyone in the south of France on the barricades," Martinez said.

"We have been making wine since the Roman Empire, and not for a couple of hundred years like the Americans," he said. "Wine is a civilization, it is a fine art."

Under the provisional deal reached by EU and American negotiators in Washington two weeks ago, the two sides will mutually recognize each other's winemaking practices, setting the stage for more detailed talks on protecting geographical indications, names of origin and the status of low alcohol wines.

The U.S. administration is to ask Congress to change the status \_ and limit the use of \_ 17 European names on American wines.

The names \_ Burgundy, Chablis, Champagne, Chianti, Claret, Haut-Sauterne, Hock, Madeira, Malaga, Marsala, Moselle, Port, Retsina, Rhine, Sauterne, Sherry and Tokay \_ are considered "semi-generic" in the United States. Once Washington has changed their status, American exporters will benefit from simplified certification of their wines in the EU.

Water dilution is largely banned in the EU, as is the use of oak chips, and European winemakers would consider it unfair to have to compete with imports using such practices.

"Imports approved with very different practices could undermine our own culture," said Maria Esther Herranz Garcia from Spain's fabled Rioja region.

"How long can the EU go on banning the use of oak chips or the use of water if it is allowing imports of wine using those practices?" she said.

Two-way trans-Atlantic wine trade is now valued at $2.8 billion a year.

If the agreement is approved, Martinez said it would turn wine "into a chemical product, a kind of Coca Cola."

French Liberal Democrat Anne Laperuze added: "I don't want a McDonald's type Chardonnay."

**2. Family Friend Gets Two Years for Supplying Alcohol to Killed Teen**

By Jeff Eckhoff, Staff Writer – *Des Moines Register*

September 30, 2005

### Alcohol sentence message: Don't buy for minors

It was less about Gino Pane and more about the message he represented.

Nick Bisignano's father stressed Thursday in a Polk County courtroom that his 17-year-old son Nick "made some very poor choices" when he drove drunk after a party in December and wrecked his car at 90 mph.

But Tony Bisignano had little scorn for Pane, the 38-year-old family friend who bought nearly a half-gallon of rum for the underage drinking party that Nick attended before the fatal accident.

Instead, Bisignano urged Judge Joel Novak to "send a message to the community . . . that we as a society condemn contributing alcohol to our kids."

Pane, who pleaded guilty last month of supplying alcohol to a minor, quickly followed with an emotional plea of his own.

He choked back tears and begged the Bisignanos and relatives of another teen hurt in the accident to forgive him "for the thing I did that night."

Corey Wheeler, a passenger when Bisignano's car jumped a curb, struck a brick retaining wall and knocked down two utility polls before it flipped over, suffered serious head injuries.

"It was just a stupid thing to do, and I wish it would have never happened," Pane said. "I hope you can look into your hearts and forgive me."

Pane's lawyer urged the judge to grant probation and stressed that Pane had never before purchased alcohol for minors, despite what partygoers initially told police.

Novak did not doubt Pane's sincerity.

"But I also have no doubt that if I do less than send Mr. Pane to prison, I will not be sending the message that I need to send," Novak send.

Pane, who faced a maximum of three years in prison, was sentenced to two. Court officials say he probably will be out in less than a year.

It will not stop adults from giving alcohol to teenagers, Novak said, "but I may stop one person from doing it in the future, and that'll be something."

**3. Pernod Sales Rise Amid Taittinger Rumours**

By Staff Reporter

September 23, 2005

Pernod Ricard ambled forward in its first half of 2005, out-performing new rival Diageo, but higher expenses again show the growing importance of cost-savings and consolidation to the drinks industry.

Pernod, fresh from conquering Allied Domecq to become the world’s largest wine and spirits group, reported a 6.5 per cent sales rise to €1.67bn.

The French firm can take satisfaction from getting one over on its new-found major rival and world number one drinks maker, Diageo, which only increased net sales by two percent for the same period.

Yet, despite the point-scoring, both firms have struggled on profits this year.

Pernod’s dropped 7.2 percent after the only contribution of Allied Domecq to its results was €20m one-off charge related to the deal. The firm’s advertising costs were also a factor, rising 10 percent on the first half of 2004, and especially in France, where these sent operating profit down by almost the same percentage.

Diageo, meanwhile, also saw its profits dip and the company had said in a pre-results statement that it intended to increase its focus on cost reduction strategies and pricing in order to bolster profit margins. This was despite its US spirits brands still out-performing the market over the last year.

A recent report by *Goldman Sachs* highlighted a growing trend for industry consolidation in the face of cost pressures, but also said that as firms got bigger they would be better placed to improve margins.

“*This is an industry that, for all its buoyant volume background, is lacking in pricing opportunities to deliver gross margin expansion,”* it said, despite expressing concern about the financial strain the newly acquired Chalone and Montana wines may put on Diageo.

Fitting with this trend, Pernod has been repeatedly linked with a bid for France’s Taittinger champagne, which, after being sold off by its family owners, is no longer wanted by current owners Starwood Capital.

Pernod’s burgeoning portfolio notably lacks a major champagne brand and a report in the Financial Times claimed Pernod’s joint-general director, Pierre Pringuet, said he was interested. The French government is also thought to be working to secure a French buyer.

Pringuet, however, also said Pernod’s main goal was to reduce debts to help it swallow Allied Domecq comfortably.

Cost-savings have received a major emphasis recently, with Diageo expected to save a further €74m (£50m) next year and Pernod announcing it could save more than €300m (£200m) per year in costs across both it and Allied Domecq.

Even so, a move for Taittinger could help Pernod tap further into wine – rapidly becoming one of the drinks industry’s real earners.

Diageo said its wine business had grown strongly in its key US and UK markets, where demand for new world varieties in particular is rising. The emerging demand for such wines was also cited by US-based Constellation Brands recently as the reason behind its 36 percent increase in branded wine sales.

**4. A New Push to Help Alcoholics Stay Sober**

*The Associated Press*

September 27, 2005

BOSTON - Above all else, John Bauhs credits a drug for helping him stop drinking - a story line some alcoholics, doctors and drug companies hope will become more common as new treatment options emerge.

Bauhs tried practically everything he could think of to stop during 25 years of drinking, but he couldn't stay sober until a year ago when he began taking naltrexone - a drug that can block the brain chemicals that make alcoholics feel good after a drink - while also undergoing counseling.

"After being on the drug only three days, the urge to drink was completely gone," said Bauhs, 41, a personal chef from Germantown, Md. "The conscious thought not to drink doesn't even affect me anymore."

Recovering alcoholics like Bauhs are winning allies among pharmaceutical companies and doctors who want to include drugs alongside the old standbys of counseling and 12-step programs as standard treatments for alcohol abuse, despite initial reluctance by some insurers to cover the newest drugs.

**New drugs and research**

The medications have yet to become big sellers, but that could change. The first new such drug to win U.S. approval in nearly a decade, Campral, hit the market in January; it's the third federally approved alcohol abuse drug. A fourth could be approved by year's end, with others in the pipeline.

Advances in studies on addiction and the brain also are driving a boom in research toward drugs to correct neurotransmitter imbalances among people prone to alcoholism, which has behavioral and biological components. The government's National Institute on Alcohol Abuse and Alcoholism is sponsoring more than 50 clinical trials involving drugs to treat alcoholism, compared with just six such trials a dozen years ago.

Among alcoholics who are treated, the majority aren't prescribed drugs; experts say that's because few patients and doctors are familiar with existing drugs, and most doctors consider alcoholism a largely behavioral problem best treated by counseling and programs like Alcoholics Anonymous. But traditional approaches through inpatient and outpatient programs have brought only mixed success, driving the push for new treatment options.

Just over a year ago the only federally approved alcohol abuse drugs were naltrexone, which won approval in 1994, and Antabuse, a decades-old drug designed to discourage drinking by making users sick if they consume any alcohol.

"There was a long time when we groped around and weren't sure what we were doing in this field," said Robert Morse, a retired director of addiction treatment at Minnesota's Mayo Clinic now with the National Council on Alcoholism and Drug Dependence. "But it should be an exciting field in the next decade."

**Still need counseling, too**

Because alcoholism can be traced to a complex set of mind and body triggers, doctors say the newer drugs are hardly cure-alls and should be used with counseling. And because the parts of the brain linked to alcohol dependence can range from those regulating stress to appetite, finding the right medication can be challenging.

Newer medications "can't solve alcoholism, but they can help some people," said Dr. Raye Litten, a treatment research leader at the national institute. "We want a menu of medications for alcoholism," he said, similar to the variety of depression treatments now available. "If one doesn't work, they can try another one." The market potential is big. The institute estimates 18million Americans are dependent on or abuse alcohol, with some 2 million adults seeking treatment each year.

Campral can help alcoholics remain sober by easing withdrawal symptoms and reversing drinking-induced imbalances in brain chemistry. The drug costs $3.70 for an average daily dose of six tablets.

Cambridge-based Alkermes Inc. expects to hear from federal regulators by Friday on its application to begin selling its new drug, Vivitrex, to doctors specializing in addiction medicine. In a clinical trial the number of heavy drinking days per month among patients taking Vivitrex and undergoing counseling was reduced from an average 19 days to three days over six months.

Vivitrex is a reformulation of naltrexone that is administered by monthly injection at a doctor's office, a potentially easier treatment option to follow than a daily pill regimen.

Robert Hazlett, a drug industry analyst with SunTrust Robinson Humphrey, said emerging alcoholism treatments will become commercial successes only if more doctors consider prescribing them and insurers provide reimbursement. "Even though there may be some good drugs available, it may take some time until they are more widely accepted," Hazlett said.

**The insurance issue**

Many insurers include the older treatments, Antabuse and naltrexone, on their lists of preferred drugs, as well as coverage for inpatient and outpatient treatment. Reimbursement for the newer drug Campral varies from plan to plan, said Larry Akey of America's Health Insurance Plans, a trade group for insurers.

Richard Pops, Alkermes' chief executive officer, expects insurers will eventually embrace his company's treatment and emerging rival drugs that he says will expand the market rather than take away from sales of existing medications.

"Alcoholism is so undertreated right now that there's room for a number of very important drugs," he said.

**5. Wine Executives See Industry Headed for Steady Growth, Survey Finds**

*UC Davis News & Information*

September 26, 2005

The wine industry has emerged from the economic slump of the early 2000s and now is entering a new period of stable growth, according to a recent survey of top industry executives conducted by Robert Smiley, professor in the Graduate School of Management at the University of California, Davis.

Smiley will report on his survey findings, as well as results from a broader survey of more than 300 wine industry professionals, at 8:30 a.m. Wednesday, Sept. 28, during the Wine Industry Financial Symposium to be held at the Napa Valley Marriott.

"Perhaps the most important finding of the survey is that 74 percent of the CEOs contacted believe that the industry has entered a new cycle of growth, but one that will be quite different from the boom-and-bust cycles of the past," said Smiley. "They expect the past volatility of the industry to be tempered by globalization of the wine business, environmental and political impacts on the domestic market, and slower growth in the supply of wine grapes."

**Survey of Wine Executives**

In his seventh annual survey of wine industry executives, Smiley interviewed the heads of two dozen key wine operations, ranging from growers to producers to distributors. These executives noted that:

* An anticipated drop in prices, which would normally occur after an upswing, will not be as severe as in past years because increased planting costs, tighter zoning regulations, limited water availability and environmental concerns will discourage excessive planting of new vineyards. Such overplanting traditionally leads to oversupply of wine grapes and a drop in prices. Many wineries are also signing longer-term contracts with growers that tend to keep prices steady.
* Globalization of the wine industry is expect to continue, with more competition emerging from producers in Argentina, South Africa and New Zealand. Mergers and acquisitions are expected to at least hold steady and possibly accelerate.
* The big issues for the industry in five years will be environmental challenges, global trade, wine marketing, the appearance of wine as a commodity, tax issues, wine style and vineyard pests.

Smiley's industry survey also found that:

* There is little agreement on strategic directions.
* Some wineries are capping their growth.
* There is a growing movement toward using synthetic corks as a precursor to screw caps.
* The industry continues to experience distribution challenges.

**Survey of Wine Professionals**

The survey of wine professionals, now in its 12th year, included wine producers, wine grape growers, distributors, retailers and lenders. It is the largest of its kind in the wine industry. With most of the respondents generally upbeat about the future of the industry, the survey revealed industry expectations on profitability, case volume growth, business strategies for ensuring growth, changing popularity of wine varietals and consumer acceptance.

In fact, 77 percent of the wine companies represented in the survey said they expected to be more profitable this year than last. Surprisingly, lenders were the most optimistic about winery profits, while distributors and retailers were the least optimistic about their business profitability.

On pricing, the wineries in the Central Valley, as well as in Mendocino and Lake counties, appear to have suffered most in the past several years.

In projecting surpluses and deficits among red wine varietals, 52 percent of the respondents expect to see a shortage of Pinot Noir. Among white wine varietals, there is a greater expectation for a shortage of Sauvignon Blanc and Pinot Grigio this year, while expectations for a surplus of Chardonnay fell significantly from last year.

When asked what they see as important factors in securing a winery's future success, respondents from large wineries identified, in decreasing order of importance: controlling costs, maintaining and attracting good employees, dealing with distribution issues, maintaining and developing consumer loyalty, keeping a consistent grape supply and investing in marketing.

Smaller wineries said the two most important strategies for success are controlling costs, and maintaining and developing consumer loyalty.

**6. Editors Weekly Highlight**

*Justdrinks.com*

September 27, 2005

 The after shocks of the Allied Domecq sale are still being keenly felt around the spirits and wine industries. They were perhaps more noticeable than ever this week, with the news of a fresh Stolichnaya deal and re-organisation of the distribution giant Maxxium.

 Allied’s acquisition raised serious questions about the future of both Stolichnaya and Maxxium, questions that have not been completely answered with these announcements.

 Late last week, Pernod Ricard said that it had renegotiated a global distribution deal for the Stolichnaya brand with owner SPI. But Pernod has managed to go one better than former holder Allied, however, by getting SPI to agree to Pernod’s right of first refusal should SPI decide to sell the brand.

 Pernod managing director Richard Burrows seemed confident last week that SPI could be persuaded into those negotiations. Much will still depend, though, on SPI’s on-going battle with the Russian state over the legal ownership of Stolichnaya. If that battle erupts on a grand scale – and particularly if it gets worse in the US – then Pernod could have more on its hands than it bargained for.

 The future of Maxxium also looked set to get more complicated. With part-owner Jim Beam Brands (JBB) inheriting several brands that compete directly with its partner’s products, questions were asked about whether the partnership would pull itself apart. Today’s reorganisation has gone some way to answering those doubts, particularly in Spain and Germany, where Maxxium will be expanding its operations.

 But the four shareholder partners have agreed that the former Allied brands Courvoisier, Teachers and Laphroaig, now owned by JBB, will not be distributed by Maxxium. As a consequence JBB will make separate arrangements for their distribution in all markets. In the UK, since those brands constitute a large part of the volume of the brands acquired, JBB has decided to continue to operate independently, using the distribution infrastructure it has acquired.

 Only time will tell if this convoluted agreement has long-term potential.

**7. How Many Dance on the Pin?**

By Elaine Fabian *- The Daily Iowan*

[September 28, 2005](http://www.dailyiowan.com/main.cfm/include/displayIssueArticles/issue_date/20050928.html)

Four beers, two glasses of wine, 35 shots, and a fifth of vodka in less than two hours might translate into a rough night for most, but for one former Iowa City resident, it caused an out-of-body experience that he said gave him the ability to communicate with angels.

Since being visited by seven angels while his body lay surrounded in vomit on the bathroom floor of a Coralville restaurant almost two decades ago, Mark Patterson contends, he has been able to hear the voices of angels hinting at the right decisions in his life.

"I am guided by inner voices," he said.

Patterson, then a West High sophomore, floated above his body in the Cantebury Inn, 704 First Ave., where he could see his body and his friends in the next room. He floated into an "almost blinding white light," he said.

"I heard dolphins clicking, and there was this really white light with a blue hue," said Patterson, now 35. "Then I saw seven angels, and they took me into a building. They were your traditional angels with wings and everything. They were 14 feet tall, and they were all females."

During his time with the angels, Patterson said he learned that God and angels love people's souls unconditionally, understanding that the mind is a separate entity that can force people to make bad decisions.

"You feel so peaceful and loved," he said, describing the angels' presence.

He added the angels explained to him people are reincarnated until they learn to respond with love in bad situations instead of anger.

When he awoke in his bed the next morning after being slammed back into his body, he didn't tell anyone about his experience, but he did change his life.

"I try to spend time meditating, and it made me study religions to find the common truth among all of them," said Patterson, who earned an undergraduate degree in psychiatry. "It made me 100 percent responsible for myself."

Nine years later, he decided to speak out about what he had learned.

After receiving a phone call from a woman he didn't know, who requested that he share his experiences with others, he decided to go to neighbor Pat Setters, an Iowa City resident, who had also had a spiritual experience.

Setters said she saw a man in her backyard in a white robe with no face, whom she assumed was her late husband. After her experience, she began to read up on the spiritual world, so when Patterson came to her for advice, she was ready.

"He just needed someone to validate his experiences," Setters said. "Once I said it was normal, it was like somebody let him up for air; he came to life."

Barbara O'Rourke, a psychiatrist for Psychiatric Associates, 319 E Bloomington St., said Patterson's drunkenness during the experiences voids all of his claims.

"It isn't credible information," she said. "His brain was put to sleep. If [he] wasn't drunk, I would take it very seriously."

Although Patterson was intoxicated, the sensation of being separated from the body can be caused by a near-death experience, according to the Out of Body Experience Research Foundation. The foundation defined a near-death experience as a "lucid experience associated with perceived consciousness apart from the body occurring at the time of actual or threatened death."

Since 1995, Patterson has spoken at religious-science churches, where, he said, he is usually greeted by silence as people sit in shock after his stories. He said he will speak at Unity Center in Cedar Rapids on Oct. 23.

**8. MADD Enters 25th Year With Change on its Mind**

By Jayne O'Donnell, *USA Today*

September 29, 2005

It's not that people oppose parents or support drunken drivers. But Mothers Against Drunk Driving didn't achieve the kind of success it will announce today without making a few enemies and attracting critics along the way. At the top of the list is the American Beverage Institute, run by John Doyle, which represents restaurateurs and says MADD is maligning social drinking.

Alcohol-related car crash deaths by state -  See chart at end of this e-mail.

Less predictably, the head of the American Institute of Philanthropy says MADD spends far too little of the money it raises on services and is lowering MADD's rating to a "D." Odder still, the woman who founded the group in 1980 after a drunken driver killed her 13-year-old daughter, has split from MADD. She says it's become too anti-alcohol, with too little local visibility.

It isn't easy being big.

As MADD has grown from a grass-roots advocacy group to a non-profit behemoth, it acknowledges it's had trouble retaining executives and convincing the public that much more work remains to be done.

MADD President Glynn Birch, the first father to lead the group, says there's a "complacency in the nation. ... We need to refocus on the deaths."

Founder Candy Lightner says: "I'm proud of the fact it's still in existence. But I haven't observed much local press or chapter participation. It's made them so bureaucratic."

MADD CEO Chuck Hurley concedes he's "not so sure she's wrong."

"MADD is not the white-hot issue it was in the 1980s," Hurley says. "But we need to rebuild our organization with even more volunteers and a stronger structure than we had in the past."

Hurley says another goal is to reduce turnover — several top executives left in the past year — to help retain more "institutional knowledge."

Criticism of the group tends to focus on three areas:

**Fundraising.**

MADD's money-raising efforts have been questioned for years — in part because it spends so much to raise so much.

Daniel Borochoff, executive director of the American Institute for Philanthropy, says nearly 80% of the charities it monitors score a C or better in its ratings. MADD had long been a C- but will be downgraded to D when the institute's new ratings come out in November. Up to 58% of the money MADD raises goes toward fundraising and management, the institute says.

"That's a concern," Hurley acknowledges. The philanthropy institute "is very tough on the cost of fundraising."

MADD considers its fundraising solicitations to be "educational program services." But the institute believes that most donors would not agree.

"Are they soliciting juvenile delinquents, or people like my mother, who throws a New Year's Eve party and doesn't serve alcohol?" Borochoff says. "They have one of the most popular causes. They should be able to be more efficient."

General Motors, one of MADD's biggest corporate donors, committed $2.5 million for the five years ended in 2004 and was roundly criticized for it by bar and liquor store owners. The American Beverage Licensees' "MADD at GM" campaign asks customers to think twice about buying GM products, saying the automaker is "bankrolling MADD and their attempt to criminalize the 40 million adults that responsibly enjoy a glass of wine with dinner or a beer at a ballgame and drive safely home."

In an e-mail, GM spokesman Alan Adler says, "The tavern owners and, by extension, the beer truck companies (we do sell some trucks to people who deliver beer) have not pulled any business from GM over our support of MADD."

**Sobriety checkpoints.**

MADD is one of the driving forces behind sobriety checkpoints, which are banned in 12 states and a subject of dispute in others. Studies have shown these roadblocks reduce fatal alcohol-related crashes by as much as 20%. But the beverage institute notes that nearly all the reductions in such fatal crashes in 2004 occurred in states that don't use checkpoints. MADD says many factors other than checkpoints affect whether and where alcohol-related fatalities occur.

Kathryn Swanson, Minnesota's traffic safety director and past chairman of the Governors Highway Safety Association, says her state achieves results comparable to using roadblocks — which the Minnesota Supreme Court barred in the 1980s — by filling the streets with highly visible police. But Troy Costales, Oregon's transportation safety chief, thinks his state could reduce drunken driving further if it could legally conduct sobriety checkpoints, in part because they require fewer police officers at a time when the state has absorbed cuts in its police force.

**Questionable numbers.**

MADD touts statistics from the National Highway Traffic Safety Administration on "alcohol-related fatalities" that strike some as peculiar. The driver need not have consumed any alcohol at all. A fatal crash involving a sober driver and a drunken pedestrian or passenger, for example, is counted as alcohol-related.

Brian O'Neill of the Insurance Institute for Highway Safety calls that an "inappropriate measure" that makes "the problem look bigger than it is."

"What we should be focusing on is alcohol-impaired crashes where the (blood-alcohol content of the driver) is above 0.08," O'Neill says. "You're impaired the moment you have any antihistamine in your system."

Doyle, ABI's executive director, says, "The numbers aren't reflective of reality: When a (driver) has a 0.01 or 0.03 (blood-alcohol content), it's not an alcohol-caused accident."

MADD's president in 1996, Katherine Prescott, said then that the drunken-driving problem had been reduced largely to hard-to-reach alcoholics. Birch favors a stricter approach. He said recently that people who are going to drink at all should "stay at home" if the alternative involves driving.

"Our goal is not to put anyone out of business," Hurley says. But he notes, "We believe best practice is do not drink and drive."

As for practicing what he preaches, Hurley says he hasn't had anything to drink before getting behind the wheel "since I've been here at MADD, I assure you."

**9. Beer Group to Establish Independent Review Board**

*The Business Journal of Milwaukee*

September 26, 2005

[Miller Brewing Co.](http://www.bizjournals.com/search/bin/search?q=%22Miller%20Brewing%20Co%22&t=milwaukee) said Monday that the [Beer Institute](http://www.bizjournals.com/search/bin/search?q=%22Beer%20Institute%22&t=milwaukee) industry lobbying group will form an independent board to respond to public complaints about brewer advertising.

The Milwaukee-based company's president and CEO, Norman Adami, is in his second year of a two-year term with the Washington-based organization.

The panel, to be called the Code Compliance Review Board, will start up by Jan. 1, Miller said. The board will consider complaints from the public contending that a brewer's advertising is out of compliance with the Beer Institute's advertising and marketing standards.

The board will consist of five individuals outside the industry who are familiar with advertising practices and alcohol policy issues. They will be selected by November and will be compensated by the Beer Institute, Miller said. The members also will be barred from having any other relationships with individual brewers or importers.

Once a complaint is received, the board will form a three-member review panel, conduct an investigation and inform the company of any recommendations for future action. It also will make its decisions available through the Beer Institute's Web site.

Miller Brewing adopted its own marketing compliance program in 2000, the company said.

**10. Coors Field Faces Suit Over 'Safe Attendance'**

By Scott Boeck *– USA Today*

September 28, 2005

What was supposed to be a fun-filled evening for a father and his son at the baseball park quickly went south when fans behind them started behaving badly.

Jeff Black of Boulder, Colo., and his 9-year-old son attended a Colorado Rockies game at Coors Field on April 14, 2004, when they were assaulted by two men sitting behind them. The men poured beer on Black on two separate occasions (the two defendants have since been found guilty of assault).

Black, who has not returned to a Rockies game since the incident, has joined with Marin Institute, an alcohol industry watchdog, and MADD. He also has received community support from other families who've alleged abuse at Coors Field from intoxicated fans.

Black, 37, president of a plumbing and drain company, filed a lawsuit in April of this year that seeks to require the Rockies to implement a five-year plan to monitor alcohol sales and provide security.

He contends the Rockies' staff failed to protect him and his son. The team filed a motion to dismiss the suit.

"We believe the Colorado Rockies and (vendor) Aramark did not use proper alcohol serving policies and proper security policies that should have kept this event from escalating into criminal assaults after they were notified," Black said.

In a legal filing, the Rockies said: "The possibility that beer might be spilled by spectators in large sporting events is another inherent risk."

All money, if any after settlement or judgment, against the Rockies or Aramark would be donated to non-profit prevention efforts. "I did not want this to be 'Jeff Black against the Rockies,' " Black said. "This is for safe attendance at major league baseball parks."

