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[**I. NATIONAL NEWS.**](#I)

# He Drinks, She Drinks

Gender stereotypes live on at the bar, with the boom in sugary concoctions aimed at women. How to expand your cocktail horizons

By ERIC FELTEN
[*www.WSJ.com*](http://www.WSJ.com)

October 21, 2006; Page P1

![[Drinks photo]]()There was a time when a man was judged by the austerity of his Martini or the phenolic wallop of the peat in his whisky. But we live in less retrograde times, when the average American male can walk into a bar and order whatever he likes -- say, an Appletini or a Lemon Drop -- without fear of ridicule. The new cocktail lounge is a refuge from stale social stereotypes, a live-and-let-live oasis of choice.

 Fat chance.

In the wake of the Cosmopolitan fad fueled by "Sex and the City," girly drinks have become hard to escape. Perusing the gem-colored pseudo-Martinis that have crowded cocktail lists for a decade, you'd think that Ogden Nash -- who penned the aphorism "Candy is dandy/But liquor is quicker" -- was laboring under a false dichotomy.

As drinks menus have increasingly skewed toward female tastes, men have grown leery of experimenting with new concoctions. Many guys eschew the cocktail list partly because they know what they want before they walk into the bar -- an example of what Anthony Burgess called the male preference for "old pipes and torn jackets." But I also think men cling to what they know for a sense of social security -- a Jack Daniel's is a safe, embarrassment-free drink, so why order anything else? Thus a vicious circle: With men hesitant to venture onto the cocktail list, menus skew even more heavily toward female tastes.

This isn't much of a problem for women. They can choose to indulge in the saccharine offerings designed with them in mind, or opt for more serious drinks, all without reproach. Women who buck convention and drink gin Martinis or Scotch on the rocks raise no eyebrows -- instead, they are rightly applauded for the sophistication of their choices. But for guys, the choice brings no small risk of social stigma: If men think that they're being judged by the drinks they order, they're right.

"There is nothing quite so disheartening for me as to see a rugged hulky man swagger in, take a seat, and grab the girly-drink menu," writes Ty Wenzel in her memoir "Behind Bars." A fashion editor at

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| **THE GENDER GAP\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Who falls where on the gender divide? [**See** [Drinks icon]**some notable figures**](http://online.wsj.com/services/article/SB116138159885699385-search.html?KEYWORDS=HE+DRINKS%2C+SHE+DRINKS&COLLECTION=wsjie/6month#DRTBL#DRTBL) and their favorite cocktails. [See a chart of non-girly drinks for guys with a sweet tooth and female-friendly non-girly drinks.](http://online.wsj.com/documents/WSJ061021_Drinks.pdf) |

 Cosmopolitan before she turned her hand to bartending, Ms. Wenzel writes with dismay of any chiseled-faced man "sitting here having a melon martini." Delivering the cocktail to one such specimen, "I made it known to him that I have no regard for him as a man." And all the poor fellow wanted was a drink.

Too many of the trendy cocktails created in recent years have been either day-glo sugar bombs or double-chocolate-fudge-caramel-cream desserts in a glass. Part of the blame rests with liquor companies promoting alcoholic concoctions that aren't off-putting to newbie drinkers. Imagine that the biggest trend in wine for the past decade had been boxed blush wines, and you get some idea of the state of play in cocktails.

Girly drinks limit men and women both. Women get lulled into the habit of drinking cocktails that don't taste like, well, drinks. And for men, it's even worse: In their haste to avoid anything that smacks of the emasculating girly-drink taint, they deny themselves the great adventure of exploring cocktails in all their variety. They're both missing out. The recent revival of interest in classic cocktails presents a long-overdue opportunity to break out of the tyranny of the girly, giving men the freedom to order mixed drinks without shame and women the chance to order drinks worthy of grown-ups.

There are men ordering trendy drinks, but they tend to be nervous and furtive about it. As Lucy Brennan puts it, "a lot of grown men don't want to be seen with a pink-colored Martini in their hand." Ms. Brennan is the owner and resident cocktail guru of Mint/820 in Portland, Ore. "I do see men having Guava Cosmos," she allows, "but they'll have it on the rocks" to disguise it.

That will never fool Frank Kelly Rich, editor of Modern Drunkard Magazine, a monthly tongue-in-cheek paean to the manly drinking arts. His "86 Rules of Boozing" includes this iron law: "Drink one girly drink in public and you will forever be known as the guy who drinks girly drinks."

All this talk of lasses and their glasses drives Audrey Saunders crazy. Proprietor of the serious cocktail joint Pegu Club in New York, she rejects the whole idea that men and women go for different sorts of cocktails. "I see women drinking a lot of sophisticated drinks," she says. True enough. The gender divide here is one of percentages, not strict sex segregation. But that doesn't mean the differences don't exist. Plenty of women like Schwarzenegger pics, and there is no shortage of men who enjoy Charlotte Brontë film adaptations; but that doesn't mean there's no such thing as a "guy movie" or a "chick flick."

Ms. Brennan strives to include some specialty drinks on her Mint/820 bar menu that men will enjoy without embarrassment, for example the Mr. "820," Boodles gin shaken with rosemary (which is decidedly savory rather than sweet) and served with none of that sugared rim nonsense, thank you very much. But there's no missing the cocktails Ms. Brennan has contrived with women in mind. Take the Sweet Love: Kahlúa, banana-flavored rum, coffee and whipped cream, topped with Mexican chocolate and labeled with one of the amorous monikers generally required of the genre -- Ms. Brennan says it "is definitely the ladies' favorite after-dinner drink."

You can be pretty sure that if a cocktail's name even hints at love, it's a girly drink. The bar at the Rio Hotel in Las Vegas has its Brazilian Love Potion (light rum, strawberries, pineapple, sugar syrup and lime juice). The cocktail menu at BLT Prime in New York features Aphrodite's Potion (champagne, "fresh berry mélange" and blackberries). One SixtyBlue in Chicago offers L'amour (chocolate vodka, Chambord and Frangelico). Or how about just plain Amour (espresso, Amaretto, brown sugar and whipped cream) at David Burke at Bloomingdale's in New York?

Cheers, a magazine for the restaurant and bar industry, regularly does surveys to find out who is drinking what, and where. Recently it asked Middle American men and women their favorite mixed drinks. The top seven male drinks were Rum and Coke, Screwdriver, Gin and Tonic, Seven & 7, bourbon on the rocks, (Gin) Martini, and Scotch and Soda. And women's favorites? Margarita, Piña Colada, Daiquiri, Vodka and Cranberry, Cosmopolitan (but of course), Mudslide and Sea Breeze.

It turns out that women's taste for sugary drinks is in keeping with the general female taste for sweets. "The majority of foods women crave -- some 60% -- are sweet," says Marcie Pelchat, of the Monell Chemical Senses Center, a research institute in Philadelphia. Only 40% of the foods men crave are sweet. And women also have a greater sensitivity -- and thus aversion -- to bitterness and irritants. Since alcohol is perceived as both bitter and burning, it's no wonder that many "women like a sweet masking-agent," says Dr. Pelchat.

As women get older, however, they tend to kick the sugar habit. It is those of childbearing age who crave sweet things, which leads Dr. Pelchat to think "there may be a relationship between ovarian hormones and sensitivity to bitterness." There is some sense, then, in the slang "girly drink," with its imputation that these concoctions are preferred not just by women, but by young women.

Ever since modern American women started drinking in public about a century ago, there have been cocktails designed to appeal to them. The Café des Beaux Arts opened in Manhattan in 1913 as a bar specifically for women. The drinks the ladies ordered were not the same ones in demand at, say, the Men's Bar at the Waldorf: "The women differ from the men in this -- they don't care so much about the taste of the drink as they do about the color of it," the café's owner, Louis Bustanoby, told the New York Times a few months after opening. "They want it to match the color of their costumes or the color of their eyes."

So, too, today. Kim Haasarud runs Liquid Architecture, a cocktail consultancy in Los Angeles. She recently created a roster of drinks for a party being thrown by "Vagina Monologues" author Eve Ensler. The guests were almost all women, and the cocktails were conceived accordingly. Among the concoctions was a sweet, bright pink "Martini," garnished with a flower. "At any event, people spend a lot of time with a drink in their hands," says Ms. Haasarud. "It helps if the drink looks good with what they're wearing." The cocktail's name? The Vagini.

In her 1930 cocktail book, "Shake 'Em Up," Virginia Elliott bemoans the "tender young things" of her sex, who "prefer complicated pink and creamy drinks which satisfy their beastly appetite for sweets and at the same time offer an agreeable sense of sinfulness." Dry Martinis are wasted on them, she suggests: "If you have any crème de menthe or crème de cocoa about the house, make them up some kind of a mess of it and push them under the piano to suck on it."

Esquire's 1949 "Handbook for Hosts" included a pair of lists: "Something for the Girls" and "Something for the Boys." The masculine cocktails all involved whiskey; the feminine selection leaned heavily on cream, fruit juices and crème de this-and-that.

There are plenty of modern girly drinks with cream, but the template for our times is the Cosmopolitan, which inspired a whole generation of like-minded girly-Martinis that have dominated cocktail lists for a decade. The Cosmo was invented in the mid-1980s by Cheryl Cook, a bartender in Miami's South Beach. She noticed that "women were ordering Martinis just to have a drink in that classic glass," but they didn't actually like how the drink tasted. So she set about making a drink that was "pretty and pretty tasty too." The cocktail she came up with was citrus vodka, triple sec, Rose's lime juice and a splash of cranberry served straight up.

The near-ubiquity of Cosmo-inspired girly drinks can make them hard to avoid. "Suave gentlemen are canvassing a menu for anything that doesn't scream *Sissy-Boy* -- but can't find it," laments Ms. Wenzel, the bartender/author.

The feminine influence over the drinks menu isn't exactly new, nor does it need to be regrettable. "It was indubitably the inquiring, adventuring quality of the female mind and the roaming and ravenous interest of the feminine palate that brought the cocktail out of its swaddling clothes into this present vast wardrobe of drink," wrote Crosby Gaige in his 1941 "Cocktail Guide and Ladies' Companion." "Had the cocktail been left to muddling males it would probably have achieved its alpha and omega with the Dry Martini, the Old Fashioned, the Manhattan, and the Daiquiri."

Indeed, the feminine palate is capable of far more than "girly drinks" give it credit for. Annabel Meikle leads tasting panels for the Scotch Malt Whisky Society in Edinburgh. Though she admits that women "generally have a slightly sweeter tooth," she finds that once they give whisky a chance they "have a more discerning palate, which makes them better equipped to pick up more subtle nuances of flavor." They're also more perceptive of the whiskies' other qualities. "Women look at, and care more about, the color of the dram," Ms. Meikle says. Asked to describe the color of a given whisky, men tend to give "rubbish descriptors," she says, "like 'whisky-colored.'" By contrast, women will make fine color distinctions, and "generally use hair-color terms, like blonde and auburn."

Francois, the bartender at the Café des Beaux Arts, would have agreed: "Women are the only people who understand the artistry of mixed drinks. Men pretend to, and use a great deal of language explaining how a mint julep should be made or how much gin should be used in this or that kind of cocktail, but they are all bluffers," he said back in 1913. "But the women are different. The artistic sense that is inherent in all of them extends to drinks as well as to everything else."

We may finally be witnessing the last gasps of the Cosmo and its progeny. More and more bars are anchoring their drinks lists with classic cocktails, the best of which -- whether a Manhattan, a Negroni, or an Old Fashioned -- are balanced enough to bridge the gender divide. But there's always room for new cocktails, and the challenge isn't just one for the bartenders. Women who have indulged their sweet tooth at the bar can make an effort to join their more sophisticated sisters who have learned to appreciate cocktails that actually taste of alcohol. And men who have sought safety in the same old same-old can take a chance on the new -- giving mixologists more reason to take masculine tastes into account.

With any luck, men and women will find it easier to get together over a drink -- the same drink, that is.

**Write to** Eric Felten at eric.felten@wsj.com

### Kelly Rip and a Nobel Prize Winner Walk into a Bar ...

Who falls where on the gender divide? Below, some notable figures and their favorite cocktails

**--By Reed Albergotti, Conor Dougherty, Kate Goodloe and Jamin Warren**

**![[Tony Hawk]]() Tony Hawk, Skateboarder**
 **DRINK:** Grolsch beer
 **COMMENT:** Mr. Hawk's default drink is a Grolsch beer, but he frequently orders mojitos. "It seems like it's the one drink that crosses boundaries," he says. "You're not a dude ordering a cosmo or a girl ordering a Jack and Coke."

![[Kelly Ripa]]() **Kelly Ripa, Co-host, "Live With Regis and Kelly"**
 **DRINK:** Margarita
 **COMMENT:** Ms. Ripa says she's mocked her co-host, Regis Philbin, for his taste in girly drinks, but that women can order manly drinks -- a double standard "that works to the woman's advantage."

![[Arthur Kornberg]]() **Arthur Kornberg, Nobel Prize winner, medicine**
 **DRINK:** Dry Vodka Martini, straight up
 **COMMENT:** Mr. Kornberg, whose son Roger just won his own Nobel, tends to be liberal with the portions of his dry martini. "I don't measure it carefully."

**![[Meg Cabot]]()Meg Cabot, Author, "The Princess Diaries"**
**DRINK:** Sidecar
**COMMENT:** Ms. Cabot considers scotch on the rocks the ultimate guy drink. "I'm trying to formulate a taste for that, so I can be manly and cool," she says, but the drink makes her eyes water.

**![[Richard Meier]]()Richard Meier, Architect**
**DRINK:** White wine
**COMMENT:** Mr. Meier used to drink Martinis, but found them too strong. But he's not opposed to fruitier, colorful cocktails. "I'm curious. I would probably taste it at least," he says. "But I wouldn't think of ordering it before dinner."

**![[Lou Holtz]]()Lou Holtz, Former college football head coach**
**DRINK:** Chardonnay
**COMMENT:** Mr. Holtz usually orders one glass of white wine. "I've never been a big drinker," he says. He doesn't think men should worry about what image their cocktail conveys: "That's not what makes you masculine."

**![[Jill Stuart]]()Jill Stuart, Fashion designer**
**DRINK:** Margarita
**COMMENT:** "I used to think it was awkward when men carried candy-colored Martinis, but in New York I see it all the time, especially in the summer," says Ms. Stuart, who favors a "good, classic Margarita" herself.

**![[Tom Colicchio]]()Tom Colicchio, Chef**
 **DRINK:** Rum and Tonic in summer, Manhattan in winter
 **COMMENT:** A drink with an umbrella or too much sugar is too girly, Mr. Colicchio says. "The sweetest thing I would drink is a Margarita." He adds: "Anything straight-up is pretty manly."

**![[Norah Vincent]]()Norah Vincent, Author, "Self-Made Man"**
**DRINK:** Gin and Tonic
**COMMENT:** Ms. Vincent, who lived as a man for 18 months for her book, was afraid she'd blow her cover with her real favorite drink, so tried switching to Jameson whiskey. Unable to stomach it, she resorted to Bass beer.

**![[Tom Anderson]]()**

**Tom Anderson, MySpace co-founder**
**DRINK:** Diet Coke
**COMMENT:** Mr. Anderson doesn't drink alcohol, and sticks to soda at parties. He tried his first glass of red wine last month at the Great Wall of China, while he was there on a business trip. "I needed some good story about my first drink," he says.

**Stop Before You Start**

**For the Children of Alcoholics, the Best Advice may be the Simplest: Don't Drink at All**

*Source: WSJ*Kevin Helliker
October 21, 2006

When Dale Irwin was 10, his father left home and became a denizen of the streets, intent only on feeding his addiction to alcohol. Witnessing such slavery to booze made an impression on young Dale. "I vowed I would never become an alcoholic," he recalls.

But he became one anyway. "The only difference between us was that my father drank rotgut and I drank expensive scotch," says Mr. Irwin, a 58-year-old lawyer in Kansas City, Mo.

For three decades, public-health officials have been warning that alcoholism confers a powerful genetic predisposition. But those warnings have hardly kept the offspring of alcoholics from sinking into the same muck that trapped their parents. Knowledge of the danger, it turns out, isn't sufficient to avoid it. "Try willing yourself not to get cancer," says Mr. Irwin, a recovering alcoholic who hasn't touched a drop in 24 years.

Now, a growing number of addiction specialists are arguing that the children of alcoholics deserve something stronger than a warning.

They say that these high-risk individuals should be advised to at least consider abstinence -- before they even know whether they will fall prey to the same disease that befell their parents.

**The Risks for Kids**

The rationale is simple: Studies show that the biological offspring of an alcoholic parent run a one-in-three chance of developing the affliction, compared with a one-in-12 risk for the general population. What's more, the culprit appears to be more genetic than environmental. Studies have shown that when the progeny of alcoholics are adopted as newborns and raised in nonalcoholic homes, their risk of becoming alcoholic is three to four times greater than average -- the same as if they'd been reared by their biologically addicted parents.

"If you have a patient who by family history has a fourfold increase in risk for alcoholism, absolutely it makes sense to suggest that he abstain," says Marc Schuckit, a professor of psychiatry at the San Diego Veterans Affairs Hospital and editor of the Journal of Studies on Alcohol.

The primary virtue of abstinence as a prevention strategy is that, like few other medical protocols, it is 100% effective. "You can't get this disease if you choose not to drink or take drugs," says Sis Wenger, president of the National Association for Children of Alcoholics, which in 2002 began including an abstinence message on its brochures for youth.

Another virtue of the abstinence strategy is that it costs nothing and is nonaggressive compared with protocols for other inherited conditions. A family history of heart disease, for example, often leads to early screening for cholesterol, electrical abnormalities and coronary blockages. A genetic predisposition to colon cancer tends to initiate early colonoscopies. Some women with a serious genetic predisposition to breast cancer have even undergone prophylactic mastectomies.

Certainly, alcoholism is no less serious than those conditions. A killer of 85,000 Americans a year, alcoholism is the third most common cause of preventable death in America, behind smoking and obesity. And no other disease is more destructive to families.

**Memories of Prohibition**

Yet abstinence advice is controversial. After all, epidemiologic studies suggest that moderate drinking can provide significant health benefits, including lowered risk of cardiovascular disease. Alcohol is also a tremendous source of pleasure for many moderate imbibers.

Some of those who develop problems manage to give it up, cut back or seek help before suffering serious consequences.

Also, any mention of abstinence stirs memories of religious-driven campaigns, such as the movement that in 1920 ushered in Prohibition, the federal outlawing of liquor sales that spawned a booming business for organized crime. Prohibition still exists in some U.S. counties and on some American Indian reservations. And already, some critics profess to see religious and cultural -- rather than scientific -- forces behind such laws as the prohibition of liquor sales to people under age 21. "There is a significant neo-prohibitionist movement under way in this country," warns an article on a Web site, funded in part by the Distilled Spirits Council of the U.S., called "Alcohol: Problems and Solutions."

Advising the grown children of alcoholics to abstain altogether is "somewhat extreme," says the host of that Web site, David J. Hanson, a professor emeritus of sociology at State University of New York. "I see this admonition as driven not by science but by changing cultural views," he adds.

**Countering the Culture**

But others say that a distorted societal view of the importance of drinking is to blame for many children of alcoholics never hearing any abstinence recommendation. "There's a widespread and misguided assumption that drinking is necessary for social life and pleasure,"

says psychiatrist Robert DuPont, an addiction specialist who served as first director of the National Institute on Drug Abuse.

To be sure, no research exists showing that the grown children of alcoholics would adhere to abstinence advice. In part because of the lack of such research, the National Institute on Alcohol Abuse and Alcoholism doesn't suggest abstinence for adult children of alcoholics on its Web page entitled "A Family History of Alcoholism: Are You at Risk?" Instead, the institute advises the adult children of alcoholics to drink moderately, defined as no more than one drink a day for women and two drinks a day for men.

But the institute strongly urges underage Americans to abstain -- despite evidence showing that 90% of them drink before age 21. And the agency's own director of treatment and recovery research, psychiatrist Mark Willenbring, says that as a clinician he suggests that the children of alcoholics consider abstinence. "If you can prevent even one case, it's worthwhile," he says.

Nobody grows up more determined to avoid alcoholism than the offspring of alcoholics. As children, they never know when an ordinary evening will evolve into a horror show, as booze turns a loving parent into a monster. Among these kids, vowing to avoid an alcoholic future is so common that the classic text on the phenomenon

-- a tome that has sold more than two million copies since 1982 -- is called "It Will Never Happen to Me."

Why it so often does happen is a mystery. No genetic test can distinguish which offspring of alcoholics will develop the problem.

Certainly, many people become alcoholic who have no family history.

Even for those people who come from addicted families, "the risk is about 60% genetic and 40% environment," says Dr. Schuckit. A genetic predisposition to alcohol typically isn't fulfilled without environmental factors such as peer pressure or simple availability of alcohol. His research has offered one possible clue: The children of alcoholics appear to harbor a low response to alcohol, meaning that many of them must drink extraordinary amounts to feel much effect -- a phenomenon that could lead to excessive consumption.

**But Does It Work?**

Whether preaching moderation to an incipient alcoholic makes any difference is unclear. After all, moderation is the dream -- or illusion -- of nearly every heavy drinker. "I never met anyone who set out to become an alcoholic," says Dr. Willenbring.

Certainly, Doreen Dorr didn't. Four years ago, she was a housewife, raising two children in a five-bedroom home and trying to drink moderately. Today, the 30-year-old daughter of a recovering alcoholic is divorced and residing under court order in a Chicago addiction- treatment center called Gateway Foundation. "More is my middle name,"

says Ms. Dorr of her attempts to drink moderately. "Booze always led to more booze and then to drugs."

Indisputably, abstinence represents a sure-fire remedy for the genetic vulnerability. When her son decided as an adolescent never to drink, the legacy of alcoholism that passed from both of her parents to Terry Irwin, a Kansas City woman who has been sober since 1980, didn't extend to the third generation. Today, her son is a 38-year- old physician, husband and father. "His attitude from day one has been, 'Why take a risk?' " says Mrs. Irwin.

Promoting abstinence as a strategy for the children of alcoholics could help diminish the perception of nondrinking as peculiar. The children of alcoholics tend to grow up in cultures in which nearly everybody drinks at least a little, and within those cultures little awareness exists of the vast numbers of American adults who don't drink. According to a 2004 National Institutes of Health press release, more than 40% of Americans either don't drink or consume fewer than 12 drinks a year.

To avoid addiction altogether, however, abstinence must extend beyond alcohol. A family history of alcoholism prompted young Carrie Schwartz never to drink. But as a 17-year-old, she began smoking marijuana, and within two years the suburban Pennsylvania woman entered treatment for a heroin addiction. "I viewed alcohol as the bad thing that ruined lives," says Ms. Schwartz, 21, and clean now for three years. "But if addiction is in your family, you need to stay away from it all."

<http://online.wsj.com/services/article/SB116077084131192246-search.html?KEYWORDS=for+the+children+of+alcoholics&COLLECTION=wsjie/6month>

**A-B's Q3 Profit Grows 26% led by Domestic Beer Sales**

*St. Louis Business Journal*4:32 PM CDT Wednesday

Anheuser-Busch Cos. Inc.'s third-quarter profit grew 26 percent, spurred by strong domestic beer sales and earnings, the firm said Wednesday.

Profit for the quarter ended Sept. 30 rose 26 percent to $638 million from $505 million in the third quarter of 2005.

Net sales improved 4.7 percent in the third quarter to $4.28 billion from $4.09 billion in last year's quarter.

In the third quarter, A-B's domestic beer shipments-to-wholesalers increased 1.1 percent while sales to retailers declined 0.4 percent. Domestic revenue per barrel increased 2.8 percent in the third quarter, according to a company release.

The company's estimated domestic market share, excluding exports, for the nine months ended Sept. 30 was 49 percent, compared with 2005 market share of 48.9 percent, according to a company release. The market share figures are based on estimated U.S. beer industry shipment volume using information provided by the Beer Institute and the U.S. Department of Commerce.

The third quarter also saw a handful of A-B executives announce retirement plans, including A-B's president and CEO Patrick Stokes, 64, who will retire effective Nov. 30. August Busch IV was named to succeed Stokes in those functions, effective Dec. 1.

Consistent with its 2006 pricing pattern, the company said it plans price increases on the majority of its beer volume in early 2007, with a few selective increases in the fourth quarter this year. Pricing initiatives will continue to be tailored to selected markets, brands and packages, according to the release.

St. Louis-based Anheuser-Busch Cos. Inc. (NYSE: BUD), the largest domestic brewer, manufactures and recycles aluminum cans and operates theme parks.

**Anheuser-Busch Concedes Impact of Premium Rival**

By: By Andrew Ward in Atlanta
*Financial Times*
Published: Oct 26, 2006

Anheuser-Busch has admitted losing sales to Heineken Premium Light, a low-calorie beer introduced by the Dutch brewer this year, highlighting the growth of imported beers in the US.

Heineken Premium Light has become a powerful presence in the premium end of the US beer market since its launch, helped by a $50m marketing campaign.

The Dutch beer is among a widening range of premium import beers luring US drinkers away from traditional American brands.

Randy Baker, Anheuser's chief financial officer, said three of its brands - Bud Light, Budweiser Select and Michelob Ultra - had feltan impact from Heineken's success.

But he added that the threat posed by Heineken Premium Light should be kept in perspective: the brand's 0.4 per cent market share compares with Anheuser's 49 per cent.

Mr Baker said Anheuser was benefiting from growth in imported brands through its 50 per cent stake in Mexico's Grupo Modelo, maker of Corona, the most popular foreign beer in the US.

Surging equity income from Modelo and rising beer prices in the US helped Anheuser increase third- quarter net profit by abetter-than-expected 26 per cent.

Anheuser has shown signs of recovery this year following the end of a bruising price war with Miller Brewing, its fiercest domestic rival, owned by UK-listed SABMiller.

But Anheuser, which lacks the strong international presence of SABMiller, remains under pressure from the decline in its flagship Budweiser brand amid a shift by US consumers towards premium beers, wine and spirits.

Third-quarter net earnings were $637m, or 82 cents a share, one cent better than Wall Street's consensus forecast. Sales rose 4.7 per cent to $4.3bn.

**Liquor Companies May Face Questions About College-Related Ads**

October 25th

The Federal Trade Commission may have some important questions about the alcohol-beverage industry's advertising presence on college campuses. According to a notice in Tuesday's Federal Register, the agency is seeking public comment on a plan to ask beer, wine, and liquor companies a series of questions about their advertising practices, their compliance with ad codes, and what they spend their sales and marketing budgets on.

This is the second round of public comments on the proposed battery of questioning. The first round drew 1,299 comments, nearly all of them in support of the plan. Some respondents suggested that the commission ask the alcohol companies about their sponsorship of several college-related events.

One respondent, the National Association of Attorneys General's Youth Access to Alcohol Committee, said the agency should seek information about "sports-related and college sports-related advertising and marketing (including telecasts, sponsorships, local print and promotional expenditures, and stadium signage)" as well as "college marketing and promotional activities and expenditures (including spring-break promotions in the U.S. and at popular off-shore spring-break destinations)."

<http://chronicle.com/news/article/1174/liquor-companies-may-face-questions-about-college-related-ads>


# Update: Nascar Sponsorships Set Off Spat In Liquor Industry

WILLIAM SPAIN

*CHICAGO - DOW JONES*

October 26, 2006

CHICAGO (Dow Jones) -- Pernod Ricard has said it will pull out of an industry-funded responsible-drinking organization in a dispute over the group's support of liquor sponsorships in auto racing.

In a letter sent to the Century Council and obtained by MarketWatch, the France-based spirits maker resigned its membership, although its departure won't be effective until November.

While that could give them time to work out some kind of compromise, the missive from Alain Barbet, the company's U.S. president, put the issue in fairly stark relief:

"We at Pernod Ricard firmly believe that is inappropriate for the distilled spirits industry to engage in sponsorship of motor sports," he wrote. "We also believe strongly that any involvement of the Century Council in these sponsorship activities runs the risk of damaging [its] well-earned credibility . . . and undermining its message of responsibility."

Vaulted into the industry's No. 2 spot by its part in the break-up and sell-off of Allied Domecq last year, Pernodmarkets an array of wine and spirits brands including Chivas Regal, Wild Turkey, Stolichnaya, Beefeater and Perrier-Jouet. As such, it is a key member -- and major financial supporter -- of the Century Council, which promotes anti-drunk driving and underage drinking programs.

Its opposition to motor sports sponsorships by alcohol brands, according to spokesman Jack Shea, is based upon the activity's "inherently dangerous" nature.

"We very much want to continue to be a member of the Century Council but unless we find some way to bridge the gap on this issue, we would be willing to withdraw," he added.

Ralph Blackman, CEO of the Century Council, stressed that Pernod's departure is not a done deal yet.

"Everybody is talking and everybody is trying to work it out," he said. "When you have an organization that represents eight different companies, this isn't the only issue where everybody doesn't see to eye-to-eye. It's [just] a little thornier than most."

Racing to catch up

If the spat seems like a tempest in a pot still, for the players involved it is about big money, image making and the continued move of liquor marketing into new, more-mainstream outlets. The industry, relegated largely to print ads until relatively recently, has burst into electronic media and event sponsorships as it seeks to boost its products and exploit changing tastes, especially by luring consumers away from beer.

While some liquor companies have been involved in racing sponsorships on circuits other than Nascar for years, their participation was typically on a small scale. That changed in late 2004 when Nascar amended its policies to allow liquor-company sponsorships.

A trio of top brands quickly got on board, including Diageo's (DEO) Crown Royal, Fortune Brands' (FO) Jim Beam and Brown Forman's (BFB) Jack Daniel's Tennessee Whiskey.

The sponsorships have the full support of the industry's trade association.

"We believe it provides spirits companies a useful option for showcasing both their brands and their responsibility messages," said Frank Coleman, a spokesman for the Distilled Spirits Council. "It also further levels the playing field with beer."

Gaining a presence in the fast-growing sport, long a province of beer companies such as Anheuser-Busch (BUD) , was a big breakthrough for the industry, according to William Chipps, editor of the IEG Sponsorship Report.

"It was a very smart move," he said. "This is a category that was chomping at the bit to get into Nascar."

But it isn't cheap.

Big money on the line

While none of the three companies involved would detail what they spend on their Nascar efforts, Chipps noted the typical price tag can run as high as $15 million to $20 million a year. And that's before any money is laid out for promotion.

"Sometimes, for every rights-fee dollar, they spend another one [on top] to activate the sponsorship," he said.

The liquor companies that sponsor Nascar insist they spend a lot of time and money on pushing a responsible-drinking message. For instance, when Jack Daniels arrived at its first race it declined to sell any branded merchandise such as t-shirts or model cars to people under 21.

David Stang, the brand's director of national sponsorship, said he noted an almost complete absence of negative feedback as Jack Daniels goes into its second season with Nascar.

"We came into it in the right way and the world didn't come to an end," he said. "The buzz I hear now is all about Toyota." (The Japanese carmaker will be the first foreign auto company to compete in the sport's marquee Nextel Cup and Busch series this year, setting off a fuss among some all-American purists.)

Tom Pirko, president of consultancy Bevmark, said he is "perplexed" by Pernod's decision considering that "auto racing has a long history of alcohol associated with it."

He chalks it up largely to an overabundance of caution: "There is a lot of Hamlet-like dithering within the industry right now. They are marketing so successfully that what they don't want to do is get into trouble."

In the meantime, the sides are still talking but what it comes down for the Century Council, Blackman said, is "our role is to support our members in all of their initiatives."

Pernod's Shea said that his company has no problem with competitors setting their own standards, "what we do object to is member companies using the Century Council in conjunction with an individual branded sponsorship."

He declined to speculate on what "a successful outcome would be" but said that if the company does end up pulling out, it would set aside at least an equal monetary commitment to responsible-drinking programs.

<http://www.easybourse.com/Website/dynamic/FicheValeur.php?ISIN=FR0000120693&lang=fra&ListeNewsValeur=1&pageliste=3&PHPSESSID=58ae99c60f5e3be08e22e73b55d85fad>


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# Teens And Drinking

*CHARLOTTE OBSERVER*

October 26, 2006

NC/Q. The Observer chronicled teen drinking and its impact in a series this week. What did you think of the series? Teens said that many more teens drink than adults realize. Most attend parties where drinking takes place. Many ride with drunk drivers or have driven after drinking themselves. Many binge drink. Many said it's hard to resist the peer pressure to drink. Many said parents are gullible and can be manipulated into believing their children are not in trouble. Do you believe any of that? Is it true for people you know? What would help to get young people to avoid drinking?

Ryan Dahrouge, 14, Smith Academy of International Languages, Charlotte: It is very evident that alcohol is becoming a big issue and that something must be done stop it. A simple solution would be to just punish or lecture the drinkers, but maybe this contributes more to the problem. To me, it seems logical that just punishing drinkers would force them to hide the problem instead of stopping it. Fear would not lead to change, on the other hand confronting the problem would. Parents need to realize this and imply it as soon as possible; if nothing is done this problem could result in the death of many.

Khevna Desai, 14, School of Math, Engineering, Technology, and Science @ Olympic High, Charlotte: The series is a wake up call for everyone to realize the impact of teens and drinking. Its easy for parents to believe that their child, the honor roll, perfect attendance student is actually drinking. This is because parents trust the student, believe that their child will make the right decision. But many parents are not involved, they don't check to see who their child is hanging out with, where their going or whose driving. Parents can be manipulated into thinking that their {quot}perfect{quot} child is just going to see a movie, and not do anything wrong. I don't know any of my friends who drink, for that matter. The series coming in the paper is one way to get teens to stop drinking. Teens need to be alerted, they need to see the effects of drinking. Most teens drink because either they are depressed, or it's what the {quot}cool{quot} people are doing. These teens don't realize what is happening because of their stupidity to be {quot}cool.{quot}

Heather Sheppard, 14, Smith Academy of International Languages, Charlotte: Teens drinking is a very sad thing. It messes up that persons life for ever. I believe that parents are very gullible when their kids ask them if they can do something or go some where. To get teens to stop drinking will be a hard thing to do especially when the parents are not doing any thing to stop them. The parents need to get involved with their kids' activities. Parents need to learn how to listen before they leap into action when they {quot}talk{quot} to their teen.

Darran Neely, 13, Smith Academy of International Languages, Charlotte: What would help would be a role model to them him/der to stop drinking or don't start. No peer pressure just wrong people you probably hang around with. Parents that drink don't let kids see you drinking alot they would start. They just teen to so teach them the right way.

Quinn Patrick Foster, 17, Sun Valley High School, Monroe: Teen drinking a nationwide problem, not just exclusive to Charlotte. I believe that the first line of defense is parents, who should have knowledge of the activities in which their children participate. Of course, there is a population who have no clue about what their teens do, what illegal substances they consume or the laws they disregard on a daily basis. With a little parental supervision, many young people wouldn't be faced with some of the decisions their peers force upon them.

Darius Neely, 13, Smith Academy of International Languages, Charlotte: I hear a lot about teens drinking and how they die. Most of the time the person that's driving drunk causes an accident. I don't believe that it is peer pressure; most teens do it because they think it's cool. We need our young people to keep their eyes open and if they see someone drinking under age they should leave the party and notify the police.

Steven Ryle, 13, Smith Academy of International Languages, Charlotte: I think it is very true than teens are very tempted by drinking. This is a very bad issue. I think that it is very easy to persuade your parents into thinking you are just hanging out, but really you are at a party with peer pressure all around. But if they break under that pressure and jump on the band wagon and try that one drink, then it will just snowball from there. It will go to three or four, then five. By then you have to drive home, which puts me and you in danger.

Kelli Lyle, home-schooled, Charlotte: My parents started talking to me about alcohol at a fairly young age. My uncle was killed in a car accident after he had been drinking, and several other relatives were alcoholics. My dad explained to me that our family has the gene that makes you especially prone to alcoholism, and told me that even a small drink would be bad for me. Because I'm able to see how alcohol ruined other people's lives and have good reasons not to drink, I haven't been tempted to drink. I think teens wouldn't drink if they could clearly see the consequences.

Daniel Davis, 11, Grandview Middle School, Hickory: I think it is hard to resist teens to stop drinking because once they get started they won't stop. When kids go to parties they are automatically going to start dinking and they'll stay there for hours and get drunk and end up killing someone on the road. People at stores need to be more particular on who they give alcohol to. The government needs to raise the age limit to 25. Most underage kids are getting alcohol from older kids and giving it to them. Other than that under age kids will still drink alcohol.

Dolly Vang, 11, Grandview Middle School, Hickory: To stop teen people from drinking people should ask others there age before they buy drinks or ask for their ID card to check if they are old enough. Since some are liquor store they sell it to only adults that are able to drink it. Plus parents should never leave their children at home alone, because they should know that kids party when they're gone to somewhere, so they should have a baby sitter. Especially for teens that are their kids, or don't let them go to a friend's drinking party.

Johnathan Wilson, 12, Grandview Middle School, Hickory: I think it is right to be illegal for teens under the age of 18 to drink. Most teens drive drunk and do not get caught. No one should drink or do drugs, even adults, because it will get in to your system and mess you up.

Mercedes Anaya, 11, Grandview Middle School, Hickory: I suggest a way to stop teens from drinking is that you could tell them. Like talk to them and tell them how it can really affect them especially at a young age. Teens are the ones that aren't good listeners, they try to ignore you but one way to get them to avoid drinking is to also give them a suggestion like: Do you want to live or give up your life for drinking? Tell them that's your decision, and it will make them think what's best for them.

Shayla Propst, 11, Grandview Middle School, Hickory: I believe all of that because teens are under age drinking. This is against the law. Teens drink and adults don't know that because they drink at a friend's house or at a party. Teens have ridden with drunk drivers and have driven drunk home themselves, which causes accidents. So please don't ride or drive when you or another person is drunk. We want our streets to be safer.

Tanner Clifton, 11, Grandview Middle School, Hickory: Alcoholic beverage companies need to stop targeting the youth with beer and wine coolers that come in appealing flavors like cherry, coconut, strawberry, and mixed berry. Instead of targeting the youth there are plenty of responsible drinkers out there over the age of 21. When any store sells alcohol always put it behind the counters or on display in a locked glass case which should become a federal law. If some kids are under 21 they will smuggle alcohol out of stores. This country doesn't do much to stop underage drinking.

Tyler Early, 11, Grandview Middle School, Hickory: I think what people need to do is make more rules and they need to make the drinking limit up to 25years old to be able to drink. The parents need to be in their children's life. That's when there children will not drink.

Tyshun Flowers, 11, Grandview Middle School, Hickory: What we could do to help young people not to drink is to first of all keep D.A.R.E in school. We should also have some type of identification that some people are really 18. Why I say that is because anybody can walk up to a cashier and say their 18 and some cashiers will believe that and let them buy the beers. Some adults even go the stores and buy beer for teens because the teens will give the adults money for buying them beers.

Julie E. Flanagan, 16, home-schooled, Charlotte: I think one of the main problems is that alcohol is being GIVEN to us. If something illegal is just being given to us by our role models then who is to show us that it is wrong? Many stories now are of parents or grandparents freely giving their children alcohol, parents need to open their eyes and see what a bad impact this is making. Death is a result of this and something needs to be done about it. A way of improving this would be not to give teens alcohol and not to make it so easy for us to get it from others.

Susannah Brinkley, 17, Northwest School of the Arts, Charlotte: Of course I know other teens who drink. What kind of teen do you think I am? I don't drink, but I do worry about teens who do -- it's a dangerous endeavor. I think that lowering the drinking age would greatly lessen the number of problems with drunk driving. At 21, the U.S. has the highest drinking age of any country in the world. Reducing the drinking age would provide a slower, safer introduction to an adult freedom. Drinking would then become a more commonplace and less rebellious activity, as there would be little or no social pressure to drink and teens would learn from their parents how to drink responsibly.

Alex Li, 17, Charlotte Latin School, Charlotte: Drinking is inevitable, as teens can always find a way to circumnavigate the law, no matter what the consequences may be. Peer pressure can be a factor, as well as the teenage urge to do what is forbidden. Most parents don't know that their kids drink, or perhaps some parents don't care, as long as their children don't drive. Despite the many fatal car crashes and alcohol poisoning deaths that occur every year, teenagers still feel the invulnerability to tragedy, the belief that {quot} It won't happen to me {quot}, until it does.

<http://www.charlotte.com/mld/observer/news/opinion/15831147.htm>

**Study Shows Alcohol Good For The Heart**

*CBS4Denver.com*
October 23, 2006

*(CBS4)* *DENVER-* Most research has showed that red wine can be healthy for the heart but a new study shows other types of alcohol can be good as well.

Red wine seems to be on the top of the list when it comes to heart protection but it looks like beer, other wines, and even hard liquor is pretty good too.

The study followed more than 60,000 men and took into account all of the other things these guys did. It evened everything out and isolated the alcohol part to figure out if alcohol is good or not.

Men who didn't drink had four times the risk of a heart attack than men who had one to two drinks a day.

The risk of a heart attack doubled with more than two drinks a day.

There are heart protective antioxidants in alcohol but a bigger issue is that alcohol may keep blood clots from forming in heart arteries and thins the blood.

The people who got the most protection from a daily drink were men over 45 and women over 55.

In the study, the men ate healthy, didn't smoke, and exercised. The alcohol was just one part of a total health plan.

<http://cbs4denver.com/local/local_story_296232812.html>

**The Beer King gets a new CEO**

As he assumes leadership of Anheuser-Busch, August Busch IV must grapple with increased competition and changing tastes.

By Ellen Florian Kratz,*Fortune writer*

October 26 2006: 9:44 AM EDT

(Fortune Magazine) -- For three years running, [Anheuser-Busch](http://money.cnn.com/quote/quote.html?symb=BUD) ([Charts](http://money.cnn.com/quote/chart/chart.html?symb=BUD)), brewer of Budweiser, Michelob and other brands, garnered the top spot in the beverage industry in our ranking of America's Most Admired Companies. Among the larger universe of the 583 companies surveyed earlier this year, it ranked tenth for the quality of its products and services and 13th in the quality of its management.

Now we're preparing the latest edition of our ranking, and that management is about to change. Come December, August Busch IV will become the new CEO, replacing Patrick Stokes.

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| beer_king.ap.03.jpg |
| Version 6.0: The incoming chief is the sixth Busch to head the company. |

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As he takes the reins of the $15 billion (2005 sales) brewer, the younger Busch will face a number of challenges. Miller Brewing has been more aggressive in its ad campaigns since it was acquired by South African Breweries in 2002. Microbrews and imports are making inroads as well. Busch must also deal with the growing popularity of wine and liquor, which accounted for 45 percent of the alcoholic beverage market in 2005, up from 42 percent in 2001, according to *Beer Marketer's Insights*.

And while its global competitors like [Molson Coors](http://money.cnn.com/quote/quote.html?symb=TAP) ([Charts](http://money.cnn.com/quote/chart/chart.html?symb=TAP)) have been consolidating in recent years, Anheuser-Busch has missed out on numerous overseas acquisitions. "For better or for worse, and we think it's for worse, their fortunes are tied to the U.S.," says Charles Norton, co-manager of the [Vice fund](http://money.cnn.com/quote/quote.html?symb=VICEX) ([Charts](http://money.cnn.com/quote/chart/chart.html?symb=VICEX)), who is cutting his holdings.

To address these problems, August IV has been working hard this year to build up Anheuser-Busch's portfolio of offerings. The company acquired Rolling Rock in May, has inked import agreements with such brands as Grolsch and Tiger and built up its arsenal of microbrews. August IV has also raised the possibility of moving into the hard-alcohol business; the company is already testing a berry and herbal liquor called Jekyll & Hyde. (Busch would not comment for this story.)

Some observers wonder how much freedom August IV will have to execute his vision. His father, August III, known for his hands-on style, will step down as chairman when his son becomes CEO - but retain a seat on the board.

Stokes, a longtime ally of August III, will succeed him as chairman. "It remains to be seen if this is indeed [August IV's] company and if he has the will - and the full support of the board - to move the King of Beers in the bold new direction it must go to deliver for shareholders," writes Bear Stearns analyst Carlos Laboy.

Earlier this month, the stock jumped briefly on a rumor of a buyout bid from Eddie Lampert's ESL hedge fund. The rumor faded quickly, but it led some to raise the prospect of a takeover or merger.

One possible partner could be InBev, the Belgian beer conglomerate. (Though the Busch family has long led the company, August IV and his father own only about 1.5 percent of the stock. The largest shareholder is Warren Buffett's [Berkshire Hathaway](http://money.cnn.com/quote/quote.html?symb=BRKA) ([Charts](http://money.cnn.com/quote/chart/chart.html?symb=BRKA)), which has a 5.7 percent stake.)

"When you see a company in a flat or declining industry, and the company continues to not find the answers, you expect it to come into play," says Tom Pirko of consulting firm Bevmark. If you share that view, BUD may be worth a gamble. Otherwise, we'd advise waiting to see how August IV tackles his new assignment before jumping in.

<http://money.cnn.com/magazines/fortune/fortune_archive/2006/10/30/8391808/index.htm?section=money_latest>

[**II. IOWA NEWS.**](#II)

# Winefest will be Back, with Changes

### Regulators have met with the festival's director to ensure that the event stays on the right side of the law.

*The Des Moines Register*
REGISTER STAFF WRITER
October 23, 2006

Des Moines' annual Winefest weekend won't be corked next year, but Iowa's chief liquor regulator wants changes to ensure the downtown event complies with state law.

"I am not trying to shut them down. What I am trying to do is make sure they have the proper licensing," said Lynn Walding, administrator of the Iowa Alcoholic Beverages Division. "In other words, if Winefest wants to sell or auction off wine, they need to have a license. They just can't bootleg it."

State regulators recently met with Winefest Director Kit Curran to discuss compliance issues. Walding said he suggested the meeting after reading about this year's wine-sipping event in the news media.

Curran said last week that she thought the talks went well and that she didn't expect any legal problems for future Winefests.

"Everything is great. We just had a meeting and went over a few things. Winefest is absolutely still going to happen," Curran said.

This year's Winefest, a charitable initiative, drew more than 4,000 wine lovers who sampled local and imported wines from 82 vineyards and importers, as well as gourmet food. The festival generated about $100,000 for BRAVO! Greater Des Moines, a nonprofit organization that supports cultural facilities and programs in Des Moines. A similar downtown event is tentatively set for the weekend of June 21-23, 2007.

Walding said two primary issues that raised concerns from state regulators involved wine samples and the event's wine auction.

Iowa law allows Winefest to charge a flat admission fee, and to then give away wine samples. The key with wine samples is that they must be limited to about 1 or 2 ounces; they may not be a full serving of wine, Walding said. "It can be just enough to make a consumer decide whether or not to buy the product."

Regarding wine auctions, such events are legal, but a state wine license is required, and Winefest doesn't hold a wine license, Walding said. An alternative would be to auction the wine using the license of the hotel where the auction is held, he added. The hotel could then donate the proceeds.

Another option would be for Winefest to obtain a wine license, and for the hotel to temporarily surrender its alcoholic beverage license. State law doesn't allow more than one license per premise, Walding said.

"Our intent was just to make sure that we were working with them to have a legal event, and so we can avoid any problems in the future," Walding said.

Curran said Winefest would comply with state regulations, although she said organizers still hadn't determined how they would address the license issue for next year's wine auction.

"We are really excited about next year. We are hoping to make it bigger and better than ever," Curran said.

###### RODNEY WHITE/REGISTER FILE PHOTO

Jeff Finney, president of MJ Distributing,

makes final arrangements in his company's tent in downtown Des Moines in preparation for this year's Winefest in June. This year's event drew more than 4,000 wine lovers who sampled local and imported wines from 82 vineyards and importers, as well as gourmet food.

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=2006610230345>


# Smoking-ban Foes Soften Views

### D.M. tavern owner switches sides, and customers say 'it's inevitable'

REGISTER STAFF WRITER
*The Des Moines Register*October 25, 2006

Here's how Brian Cooney remembers the moment he started rethinking his position on public smoking:

He was at the hospital two years ago, undergoing routine tests as a volunteer bone-marrow donor.

A doctor held up a scan that had been taken of Cooney's lungs. He pointed to white, spider-web lines on the picture. "You've smoked for more than 20 years," the doctor said.

"No, I haven't," Cooney replied. "I've never smoked."

"Yes, you have," the doctor said, "for more than 20 years."

The doctor was right, in a way. Cooney is the owner of Cooney's, a popular tavern in Des Moines' Beaverdale neighborhood. He's worked in bars 33 of his 51 years, and he's breathed the fumes from countless cigarettes.

He used to think the government had no right to interfere with how he ran his business. Now, he favors a smoking ban, as long as it would affect all businesses equally. "I'm not going to lead the charge up to the Capitol, but I think there's a few of us out here that feel the same way," he said.

At least 15 states have imposed smoking bans, and 33 states allow cities to impose local bans, smoking opponents say. Such proposals have failed to gain traction in Iowa's Legislature, but that could change. Both candidates for governor say they favor allowing Iowa cities to pass smoking bans. House Speaker Christopher Rants, who opposes smoking bans, says he might allow debate on such a bill because many of his fellow Republicans want to consider the idea.

###### DOUG WELLS/THE REGISTER

Ban smoking in public? Brian Cooney, owner

of Cooney&apos;s tavern in Des Moines,

above, once would have said “no way.”

But the nonsmoker said he reversed his

stance because of a doctor's message

about secondhand smoke's effect on

his lungs.

Cooney has not yet suffered serious medical problems from secondhand smoke. He joked in a gravelly voice that the main effect is that he couldn't run a very fast mile anymore. But he worries about his health and his employees'.

He has no immediate plans to ban smoking independently, because he fears it would hurt his business. “Smokers,” he said, “view bars as a last bastion. They can't smoke at work, and many of them can't smoke at home either.” He estimates that half of his customers smoke, and he worries they would go someplace else.

On a recent night, Cooney's tables and bar stools were full of regulars, all watching a baseball playoff game. Smoke wafted around the room, despite a fancy air-moving system Cooney installed a few years ago.

Eight young people sat around a table at the front, cheering on the St. Louis Cardinals. All of them were smoking. Most expect tobacco opponents to push through a public-smoking ban someday.

"I think it's inevitable, once they get enough support," said Jason Herrig, 29. "In the whole scheme of things, I don't disagree with it. I could deal with it, and I'd go home smelling better."

Herrig said politicians know nonsmokers make up a growing majority of voters. They've seen statewide smoking bans go into effect in New York, California and Colorado. In most other states, cities are allowed to pass bans, and many have. One of the latest is Omaha, Neb., which instituted a ban in restaurants this month and will add bars later.

Herrig's wife, Kristin, said she only smokes in bars. She said she's dealt with smoking bans in California and Minneapolis, and she thinks one here would at least force her to cut down. "Every time you want to smoke, you have to put on your coat and go outside," she said. "It's an ordeal."

Nonsmoker John Washburn sat nearby. He has friends who would like to come to places like this, he said, but they can't stand the smoke. Bars have done fine in places that banned smoking, he said. "If we change it, we would never change it back, and we would wonder why we took so long to do it in the first place," he said.

The Iowa Restaurant Association has lobbied against smoking bans, saying individual businesses and consumers should decide the issue for themselves.

At Cooney's bar, Michael Baier said he agreed with that position. Baier owns Michael's Restaurant, which is nearby. He is an ex-smoker who decided to make his restaurant's dining room nonsmoking a few years ago.

"I thought I'd take a lot more heat for that than I did," he said. "I actually had people thanking me."

Baier still allows cigarettes in his business's lounge, and he doesn't want the government forcing him to stop. He agrees with his friend Cooney, however, that change probably is inevitable. He said restaurant and bar owners should be involved in forming the rules. If smoking is going to be banned, he said, it should be banned everywhere, including at casinos and other facilities that some states have exempted.

"I've always had the position that it should be all or nothing," he said.

###### DOUG WELLS/THE REGISTER

Jason Herrig watches baseball with friends

at Cooney's, a tavern in Des Moines. Herrig

was smoking at the bar. He said that he

thinks smoking will eventually be banned

in most places but that the prospect

doesn't bother him.

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=2006610250363>


# Open Alcohol Bottle Found at Fatal 3-car Crash Scene

By JARED STRONG
REGISTER STAFF WRITER
*The Des Moines Register*October 26, 2006

The Madrid man accused of causing a three-vehicle collision in Ames last week that left one person dead had an open bottle of alcohol in his van, police reports show.

Phillip Ray Stephens, 37, has been charged with homicide by vehicle, Ames Police Chief Loras Jaeger said. Stephens, according to police reports, was driving the wrong way in the westbound lanes of U.S. Highway 30 on Oct. 17 and collided head-on about 8:20 p.m. with a vehicle driven by Jonathan Baugh, 17, of West Des Moines.

Baugh, a Valley High School senior who was returning home from watching his girlfriend play volleyball in Ames, was found dead at the scene.

Stephens faces up to 25 years in prison if convicted.

The criminal complaint against Stephens says a witness saw the man drinking alcohol and noticed his speech was slurred. The witness also saw Stephens stagger and throw a beer can out of the van he was driving before the crash, police said.

The complaint says investigators found an open bottle of alcohol in Stephens' vehicle after the crash.

More than 10 people called 911 to report Stephens driving the wrong direction that night. Callers said Stephens was driving recklessly, swerving and hitting traffic cones.

Stephens is being held at the Story County Jail on a $100,000 bond. He was released from Iowa Methodist Medical Center on Tuesday and was then taken to the Boone County Jail on a warrant related to a drunken-driving offense. He has previously been convicted of operating a vehicle while intoxicated.

Stephens posted a $5,000 bond in Boone County and was taken to the Story County Jail Tuesday evening.

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=2006610260413>


# Forum Unveils Misery of Underage Drinking

### 'There are no winners,' says mother of teen accident victim.

By LAURA PIEPER
*The Des Moines Register*
REGISTER STAFF WRITER
October 27, 2006

Karen Kelly's 16-year-old daughter, Gina Butcher, went to Ankeny Lanes one evening with her best friend to pass the time. They got hungry at around 10:30 p.m. and left the bowling alley to get snacks. An underage drunk driver struck the girls' vehicle after crossing the median of the road they were on.

The friend, 17-year-old Dena DenAdel, was killed. Gina was left severely brain-damaged and spent almost eight months in a coma. That was 1989.

The young male driver who struck them had a blood alcohol content of .298 - what is now more than three times the legal limit - and was on drugs. He served nine months of a five-year sentence for the death of the teen.

###### GARY FANDEL/THE REGISTER

Students and parents joined in the discussion

on underage drinking at a town hall forum

Tuesday at the Neveln Center in Ankeny.

Ankeny High School seniors Jillian Siehlmann,

17, left, and Amra Alibasic, 17, joined parents

Jennifer Adler and Jerry Sawyer, right.

Gina, now 34 and partially paralyzed, has not lived at home since the day of the accident 17 years ago.

"In an alcohol-related accident, there are no winners," Karen Kelly said to the audience at a town hall meeting on teen alcohol use Tuesday night. She urged parents to talk to their children about alcohol use now, before they end up in a hospital, jail or morgue.

Participants in the town hall meeting, including parents, teachers and students, listened to various speakers before gathering in groups to discuss concerns and possible solutions to teen drinking in the community. Each group was led by a member of the Mayor's Youth Council.

"We can prevent things all we want to, but when we get down to it, we have to stop preventing and begin eradicating," Mayor Steve Van Oort said. "This is an opportunity for every one of us to build a stronger community."

Ankeny High School senior Amra Alibasic said she thinks more than half of the students at the high school drink each weekend. Alcohol is readily available, she said in her discussion group. "It's so easy to get. I don't think people realize how easy it is." Other students agreed that teenagers are getting alcohol from older brothers and sisters, even parents, more than from using fake IDs.

"I really think it starts with family," said Pauline Van Wyk, who works for Drive Tek driver-training business.

She said when parents routinely order alcohol with their meals at restaurants, "they are telling kids it's OK."

Jennifer Adler, who has two teenage children in the district, said drinking has been glamorized as the thing to do at any social event. "I think kids are seeing adults are drinking to have fun," she said.

 Ankeny schools superintendent Veronica Stalker, whose sister was killed by a drunk driver, was among those speaking about their experiences with underage drinkers. Ankeny Area Chamber of Commerce Director Julie Cooper, Police Chief Gary Mikulec and Juvenile Court liaison Jason Steinkamp also spoke about their experiences and how they are fighting the trend.

"Ask your students questions," Steinkamp said. "Show them that you do in fact care and you'll always be there to support them."

Mikulec discussed the Polk County first offenders referral program, which sends underage drinkers and a parent to a program in lieu of a court appearance.
He said Ankeny police often line up underage drinkers along the curb after they are caught so people see the violators as they walk or drive past.

"We want to send as strong a message as possible that it's not going to be tolerated," Mikulec said.

 Shahna Janssen, prevention specialist for Employee and Family Resources, said people - including parents - need to be held accountable for purchasing and offering alcohol to minors.

"It's not until people realize people are really being held accountable" that this trend will end, she said.

Adler said parents need to be proactive if they hear about a party, even potential plans for one, that will include underage drinking.

 "If you hear about something, call the police," she said. "You've got to follow through."

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20061027/LIFE02/610270321/1025/COMM01>


# Alcohol-Related Traffic Deaths Dropping in Iowa

ASSOCIATED PRESS
*The Des Moines Register*October 22, 2006

Cedar Rapids, Ia. — Iowa is on pace to have another dramatic drop in alcohol-related traffic deaths.

For the first eight months of this year, 16 percent of traffic fatalities in Iowa involved alcohol, according to Iowa Department of Transportation records. That’s a decrease of about 3 percentage points from last year and about 14 percentage points from 1995.

“That’s great news,” said Johnson County Attorney J. Patrick White. “My hope is that means we are beginning to have some positive impact on attitude and behaviors. Society is finally recognizing the impact of drinking and driving.”

Iowa’s roads are much safer from drunk drivers than they were in 1990. That year 45 percent of all traffic deaths in Iowa involved alcohol. The difference in lives: 210 deaths in 1990 compared with 85 last year.

Bob Thompson, program evaluator with the Iowa Governor’s Traffic Safety Bureau, said an aging group of Iowa drivers may be affecting the declining alcohol-related deaths. He said Iowa’s growing population of ages 45 and up is less likely to drink and drive than younger age groups.

In addition, Thompson’s office and other groups such as Mothers Against Drunk Driving push public education about the consequences of drinking and driving.

“There are now concepts like designated drivers,” Thompson said. “That concept didn’t even exist when I was in my college years in the early ‘70s.”

Officials said lowering the blood-alcohol limit for drunken driving — to 0.08 from 0.10 — in 2003 helped.

Nationwide, the percentage of alcohol-related fatal crashes dropped from about 50 percent in 1980 to 39 percent last year, transportation officials said.

Brenda Krumel, president of the Polk County chapter of MADD, credits law enforcement for the safer roads.

However, “now is not the time to be complacent,” she said.
“For me, it’s not going to be ... enough until we have no fatalities with any drunken driving,” she said.

Taxicabs have played a pivotal role in decreasing deaths on Johnson County roads, White said. In 2000, six cab companies operated in Iowa City; now there are 19 that pick people up after a night of drinking.

White said, “You see them operating downtown and picking up young people who in the past would drive.”

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=200661022006>

**[III.](#II)  OTHER STATE NEWS.**

**OLCC OKs Beer, Wine Discount Coupons (Oregon)**

Posted: 2:45 PM, Oct. 20, 2006
Last Updated: 2:46 PM, Oct. 20, 2006

*By KTVZ.com news sources*

Oregon grocery shoppers may soon be seeing mail-in discount coupons attached to six-packs of beer or wine bottles, under an Oregon Liquor Control Commission rule amendment that takes effect Nov. 1.

The change to OAR 845-007-0015 overturns a prohibition on cents-off rebate coupons for malt beverages, wine and cider. It was petitioned by the beer and wine industry following a February 2006 rule (OAR 845-015-0165) amendment allowing distilled spirits manufacturers to offer money-back-by-mail coupons for discounts that increase as more alcohol is purchased.

"Beer, wine and cider manufacturers have been allowed to offer cross-promotional coupons (for food, non-alcoholic beverages) under this rule for some time, but haven't been allowed to offer mail-in, money off coupons for their products," said Katie Hilton, OLCC rules coordinator. The agency received petitions from Anheuser-Bush Brewing Co. and the Oregon Beer and Wine Distributors Assn.

Bill Linden, representing Anheuser-Busch, said the beer and wine industry sought the rule change in a competitive move to "level the playing field with the rule on hard liquor coupons."

<http://ktvz.com/story.cfm?nav=oregon&storyID=17011>

**CSU Frat Suspended Over Alcohol Incident (Colorado)**

Freshman Girl Sickened Last Month After Drinking too Much

By Monte Whaley
*Denver Post Staff Writer*

Article Last Updated:10/23/2006 11:20:07 PM MDT



A Colorado State University fraternity where a 17-year-old girl drank so much alcohol she had to be hospitalized in September has been shut down for at least two years.

The CSU chapter of Sigma Alpha Epsilon was suspended by its national office over the weekend. The fraternity's house will be boarded up and the 16 members who lived there will be directed to new housing by the fraternity's alumni, said Brandon Weghorst, a spokesman for the national Sigma Alpha organization.

The decision to shutter the house came after an investigation of the drinking incident revealed violations of the fraternity's conduct code, Weghorst said.

The fraternity can petition to regain its status as a viable CSU club or organization in spring 2008, Weghorst said.

"We felt this was the best way to move forward and help the chapter regain its place on campus," he said. "This has always been a strong chapter, and we want to continue that tradition."

CSU may also yank the Sigma Alpha charter pending the results of its own investigation, said Blanche Hughes, vice president of student affairs.

There is no indication yet if individual members of the fraternity will be disciplined by the university, Hughes said.

Greek letters for the Sigma Alpha Epsilon

fraternity house in Fort Collins are removed

Sunday. The CSU chapter was suspended by

its national organization, and members living

in the house must move out. (Justin Sogge / The Collegian )

The national Sigma Alpha office and CSU put the local house on temporary hiatus after the girl, a CSU freshman, was taken to an emergency room for alcohol poisoning.

She reportedly went to the fraternity Sept. 15 with her boyfriend to get drunk for the first time. She drank six double shots of rum and whiskey in 30 minutes before friends accompanied her back to her dorm and an ambulance was called.

All CSU fraternities and sororities banned alcohol at their houses two years ago, unless it was served at chapter functions through a third-party vendor or establishment.

The Greeks made the decision to go "dry" after the alcohol-poisoning death of sophomore Samantha Spady, whose body was found in the house of a CSU fraternity Sept. 5, 2004. That fraternity is no longer on campus.

<http://www.denverpost.com/ci_4539798?source=rss>


## Husker Choices Hosts Event to Increase Alcohol Safety Awareness (Nebraska)

#### By: Tyler Duensing

**Issue date:** 10/24/06 **Section:** [News](http://www.dailynebraskan.com/news/2006/10/24/News/)

University of Nebraska-Lincoln students have an opportunity to gain a new perspective on alcohol education this Wednesday.

This week is National Collegiate Alcohol Awareness Week (NCAAW), and Husker Choices, a student-run program to increase smart alcohol understanding, is sponsoring the event.

Emily Snell, the coordinator of campaigns for Husker Choices, said she wants students to have a fun time while giving them a better understanding of some of the dangers of alcohol abuse.

"We are just trying to do something that is just more effective and a lot more people can see and it is visible," Snell said.

Some of the highlights of the event will be a dunk tank featuring Matt Schaefer, the president of the Association of Students of the University of Nebraska; Juan Franco, the vice chancellor for student affairs; and University Police officers in uniform.

Participants will pay $1 to throw three balls while wearing beer-goggles to try to submerge one of the participants into the tank.

"If you dunk, not only do you see the joy of that person getting wet in 60 degree weather" Snell said, "but we also have some prizes."

With the inclusion of Mothers Against Drunk Drivers (MADD), there is also a chance for students to see the BAT mobile - not the car Bruce Wayne drives, but the Breath Alcohol Testing trailer.

With the concern about students putting on the "freshmen 15," there is also an activity at a booth in the Nebraska Union for students to participate in.

Students can answer questions about alcohol usage in a survey, and the program converts the number of calories consumed through alcohol and changes it to the number of cheeseburgers to which those calories equate.

Dan Lenz, the coordinator of communications for Husker Choices, said the survey, the College Alcohol Profile, would be run on about 10 laptops inside the union during the event.

"We are going to have serious things there as well, like our literature and presentation." Snell said. "We hand out blood alcohol cards just so people know what number of drinks keep them in their green zone, which is their safe zone."

Husker Choices also wants to examine student trends in alcohol consumption, Lenz said.

"We go out and interview students and figure out that a majority of students are making decent decisions with alcohol," Lenz said.

If the other demonstrations at Wednesday's event don't open students' eyes to little-known alcohol information, Snell said she feels that one statistic should.

"The average student spends about $900 on alcohol each year," Snell said, "and $450 on textbooks. Crazy."

<http://www.dailynebraskan.com/media/storage/paper857/news/2006/10/24/News/Husker.Choices.Hosts.Event.To.Increase.Alcohol.Safety.Awareness-2384277.shtml?norewrite200610241728&sourcedomain=www.dailynebraskan.com>

**Connecticut man dies After Keg Explodes (Connecticut)**

NEW MILFORD, Conn. (AP) - Investigators were trying to determine who tossed a beer keg into a burning barrel at a party, causing a deadly explosion that sent metal shards slicing through a crowd of people.

The explosion early Sunday killed Sean M. Caselli, 22, of New Milford. Seven other people were taken to hospitals with burns and shrapnel wounds, police said. Caselli was struck in the neck by a piece of flying metal.

Sgt. Lee Grabner said investigators interviewed witnesses Sunday to try to identify the person witnesses say threw a quarter-keg of beer into the flames, and to determine whether criminal charges should be filed.

Fires had been set in several barrels to keep people at the partygoers warm at the outdoors party in western Connecticut, said Police Captain Michael Mrazik.

"This is a certain tragedy," said Police Chief Colin McCormack. "However, nothing I have been apprised of to this point in this investigation, which I caution is at the very early states, indicates a deliberate act on anyone's part."

**Patrol to add DUI hunters (Washington)**
Special team will chase down drunken drivers in county

*By Scott Pesznecker*
*Herald Writer*
October 21, 2006

The Washington State Patrol has created a permanent team of troopers to crack down on drunken driving in Snohomish County.

Starting next month, five troopers will form a squad designed to target drunken drivers. They hope to reduce the number of alcohol-related collisions in the county, state trooper Kirk Rudeen said. They'll have the green light to patrol city and county roads, as well as highways. The patrol will work four nights each week.

"We're trying to be proactive," Rudeen said. "Our job is saving lives, and we're trying to pull these drunk drivers off the road."

Last year, drunken drivers caused 768 accidents in the county, according to State Patrol data. There were 374 alcohol- related accidents in the county during the first half of this year. Drunken driving is a particular problem along Highway 99 in Lynnwood and Everett, where there are more bars, said trooper Jason Bart, a member of the new unit. The squad - composed of four troopers and a sergeant - won't be tied down with accident investigations and other calls, Rudeen said. The new group will allow the patrol to schedule up to 18 troopers on the road each night in Snohomish County. The extra help is coming through schedule changes, not additional staff, Rudeen said.

It's modeled after a similar squad created three years ago in Spokane County.

Two of the six troopers in the Spokane group arrested more drunken drivers last year than any other troopers in the state, Spokane-based trooper Jeff Sevigney said.

The number of alcohol-related accidents in Spokane hasn't changed much, but arrests are up, Sevigney said.

"As long as these troopers are willing to go out there and really go the extra mile, they're going to be afforded the opportunity to do that," he said.

Trooper Bart, who is stationed in Monroe, is excited to get started with the new drunken-driving patrol. During the three years he's worked as a trooper, Bart said he has seen drunken drivers sideswipe guardrails, plow through fences and crash into other cars.

He vividly remembers an accident on U.S. 2 last year involving a drunken driver who struck a man on a motorcycle. The motorcyclist died, Bart said.

"To get those one or two guys who are actually going to hurt somebody, it's a motivating factor," Bart said.

Once the unit starts, Bart hopes to double his annual average of arresting 100 drunken drivers each year.

That's a reasonable goal, Rudeen said. The troopers in the Spokane unit average about 200 arrests per year.

"We're really excited about this," Rudeen said.

<http://www.heraldnet.com/stories/06/10/21/100loc_a1dui001.cfm>


# Hookah Venue Continues Trend In Downtown East Lansing (Michigan)

*THE STATE NEWS*

GABRIELLE RUSSON

October 26, 2006

MI/MSU State News/The State News/A new hookah lounge opening in downtown East Lansing in November will test whether the industry has enough steam to survive.

The Blue Midnight Hookah Lounge, which is under construction at Subway's vacated Albert Avenue location, doesn't plan on getting a liquor license or selling main courses.

However, the lounge might need additional offerings — like alcohol or food — to make a profit because of high rent and overhead costs, said Matt Rouhan, the store manager of Silver Streak and Krazy Katz, a retail store that sells hookahs and flavored tobacco.

"Keep in mind — this is tobacco," Rouhan said. "It's a low-cost item."

One such business that mixes food, alcohol and hookah is India Palace, which offers hookah but doesn't rely on it primarily for business, said owner Bobby Chaudhary.

But 26-year-old Donald McGrath, Blue Midnight Hookah Lounge's co-owner, isn't worried about focusing mostly on hookahs.

He hopes to mirror the success of similar businesses in Dearborn, Novi and Detroit.

"There are hookah lounges opening around the country," the Lansing resident said.

The Blue Midnight Hookah Lounge will sell about 30 different types of tobacco, ranging from the standard cherry and apple to the more unusual flavors, like Sex on the Beach or chocolate mint, McGrath said.

Up to four people can split the $8 to $12 cost for about an hour's worth of hookah.

"It's a different atmosphere from the typical bar scene," he said. "We're definitely aiming at the 18- to 20-year-old demographic."

McGrath hopes to tap into the hookah crowd, which has dramatically grown in the last five years.

When Rouhan first worked at Silver Streak and Krazy Katz from 1999 to 2002, he said hookahs were practically unheard of. Now, the store sells about five each day, which range between $38 and $200.

"Lately, they've blown up and gotten huge," said Brian Efros, a manager of the business.

The store constantly runs out of its 20 different tobacco flavors — which include cappuccino and apricot, said Efros, a telecommunication, information studies and media senior.

<http://www.statenews.com/article.phtml?pk=38387>


## OLCC: 'Fall back' Means Extra Hour of Sales (Oregon)

*KTVZ.com* news sources

October 26, 2006

When the clock strikes 2 a.m. on Sunday, Oregon's licensed premises will turn back their clocks just like the rest of the state's population, with one difference -- they'll get an extra hour of alcohol sales, according to the Oregon Liquor Control Commission.

Bars, taverns and convenience stores are gaining an extra hour of sales or serving time, said Linda Ignowski, Enforcement & Compliance Services director, but it's really the hour they lost when moving clocks forward in the spring for Daylight Saving Time.

"Licensees must follow the law and change their clocks at the appropriate times," Ignowski said.

Many inspectors suggest to licensees that they change their clocks an hour earlier than 2 a.m. to avoid any problems regarding serving or selling alcohol after the required closing time.

<http://www.ktvz.com/story.cfm?nav=oregon&storyID=17095>

**Alcohol, a Car and a Fatality. Is It Murder? (New York)**

By PAUL VITELLO
***Source: New York Times***October 22, 2006



**Jack Healey for the New York Times.**

**CRIME SCENE** This Long Island crash led to a murder conviction.

DRUNKEN drivers who kill people with their vehicles are almost never charged with murder.

Even the usual terms of criminal prosecution, vehicular manslaughter or reckless homicide, which carry far lesser degrees of punishment, are felony charges that until 25 years ago were only lightly used by prosecutors. When a presidential task force tallied the numbers of victims from various crimes in 1981, drunken driving was not even on the list.

Times have changed. "Reckless homicide" and then "manslaughter" became common charges brought against drunken drivers after advocacy groups like Mothers Against Drunk Driving began campaigning in the early 1980's. But now even those terms are considered gentle euphemisms by some advocates against drunken driving - as in, words that shelter people from looking too closely at the ugliest of realities.

**So, many advocates were cheered when a Long Island, N.Y., jury last week convicted Martin R. Heidgen, 25, of murder for killing two people in a head-on collision with a limousine on July 2, 2005. Still, it was such a rare event that advocates, prosecutors and defense lawyers are still trying to figure out its implications.**

Will murder charges help deter drunken driving? Will juries convict these drivers, knowing that they will be in prison for a long time? And is it fair?

The Heidgen jury, which took five days to reach its verdict, seems to have had difficulty confronting these questions. In a way, the confrontation was forced on them - in part by a newly installed district attorney elected on an anti-drunken driving platform and in part by a grieving mother.

The facts of the case were never in dispute: Mr. Heidgen, an insurance salesman returning home from a party, was very drunk, his blood-alcohol level three times the legal limit. He was driving the wrong way on a highway when he plowed head-on into the limousine carrying the family of Neil and Jennifer Flynn home from a wedding. He killed the chauffeur, Stanley Rabinowitz, and Katie Flynn, 7.

The girl's mother used no euphemisms in describing the accident. "As I crawled out of the car, the only thing that was left of Kate was her head," Mrs. Flynn, 36, said two days after the crash. "And I took her, just like that, and sat on the side of the Meadowbrook and watched at the horrendousness going on around me. I want everybody to know that."

There is no official count of how many times drunken drivers involved in fatal accidents have been charged or convicted of murder. But of the more than 13,000 alcohol-related driving deaths last year in the United States, prosecutors are aware of only a few murder cases each in Texas, California and New York. So there seems to be at least a bit of ambivalence about whether drunken drivers who kill people should be subject to the same legal penalties as gunmen who kill people.

"There is a certain psychological barrier there," said Marcia Cunningham, director of the National Traffic Law Center, an agency of the National District Attorneys Association, in Alexandria, Va. Americans spend an enormous amount of time in their cars, she noted, and at one time or other just about everyone has had too much to drink. "The combination of these two familiar activities makes for a certain, what have you, difficulty with the word 'murder.' "

Nonetheless, she said, it is murder, no different from "carrying a loaded gun around, pointing it at people walking down Fifth Avenue, and having a few shots go off, killing them."

Steve Oberman, a lawyer in Knoxville, Tenn., who defends drunken drivers and who is the co-author of "Drunk Driving Defense," a textbook widely used by lawyers in the field, said the situation is usually much more ambiguous.

"The terrible part about intoxication is that once you become intoxicated you lose the ability to know that you should not be doing certain things, including driving," Mr. Oberman said. "It doesn't make it any easier on the family of the victim. But people do make mistakes."

The jurors in the Heidgen case apparently considered that. Twice they sent the judge a note saying they were deadlocked. After the fourth day of deliberations, an 8-to-4 majority in favor of a murder conviction became 10 to 2, according to the jurors. In the fifth day, the last two holdouts joined the majority. But one of those two, the jury forewoman, said later that she had felt unbearably pressured by other jurors. She said she was still convinced that Mr. Heidgen was guilty of manslaughter, not murder.

Kathleen Rice, the district attorney, said the jury reached the right verdict, regardless of any second thoughts by any of its members. "We hope that this verdict sends a message that if you drink and drive and kill somebody you will be prosecuted for murder," she said.

Since the early 1980's, when grassroots groups like MADD began a campaign against drunken driving, the rate of traffic fatalities linked to alcohol has dropped by about half, according to federal highway statistics.

But progress has stalled, said Chuck Hurley, chief executive of MADD. "The numbers have not moved substantially in 10 years," he said. "The country has gotten used to MADD, and gotten used to increased law enforcement, and the result is that every month in this country another 1,000 families get a knock on the door with very bad news because of drinking and driving."

But he added: "Is every drunk driver who kills someone a murderer? "We don't advocate that."Instead, MADD has campaigned successfully to lower the legal blood-alcohol level for drivers to .08 from .10 - now the standard in every state. Ignition-interlock devices, which prevent drunken drivers from starting their cars, have been installed in the vehicles of about 100,000 people serving probation for drunken driving offenses around the country, he said.

"We are hopeful that the Flynn-Rabinowitz case will mark a new turning point in public awareness," Mr. Hurley said, referring to the Long Island limousine victims. "But we are not sure how much we can depend on that. For now, we are putting our hopes in technology."

Better to save lives before the fact, he said. "A murder trial will not bring anyone back."

<http://www.nytimes.com/2006/10/22/weekinreview/22vitello.html?ex=1319169600&en=352df946df74cce5&ei=5088&partner=rssnyt&emc=rss>

**Teens Among 15 Arrested at Beer Party (Texas)**

By Matt Smith/Staff Writer
*Cleburne Times*
October 25, 2006

Police found no fisticuffs when responding to a report of a fight Saturday night in the 600 block of Chambers Street in Cleburne. Instead they discovered several drunk teenagers and arrested 15 people on various charges.

As officer David Hogan arrived on the scene about 1:39 a.m., he saw several people run from the front porch back inside the house, police said. When Hogan questioned the two men who remained on the porch, they denied knowing any of the people who fled, police said. They did, however, agree to go inside and retrieve the homeowners, police said.

One of the men knocked several times and told Hogan the owners refused to open or unlock the door, police said. Both men told Hogan that everyone was partying, but said they saw no one fighting, police said.

While Hogan questioned them further, other officers located several people in surrounding yards who had run from the porch, police said. Officers found Katie and Tracie Pease, both 17 of Fort Worth, and noticed a strong odor of alcohol on their breath, police said. The officers took both into custody on a charge of illegal consumption.

With help from officer Dru Summey, Hogan went to the front door of the residence. There Hogan announced himself and called for the homeowners to open the door or they would kick it down, police said. A few seconds later, someone opened the door and Hogan announced himself as a police officer once more and called for everyone in the residence to come outside. About 30 people came out, police said.

Hogan and Summey asked if anyone else was in the house and, not receiving an answer, conducted a security sweep. Summey found Christopher Andrew Hauge, 17, of Cleburne in a bedroom closet. According to police reports, Hogan pulled Hauge from the closet. He had a strong odor of alcohol and was intoxicated to the point he could not stand on his own. Police took Hauge into custody on a charge of illegal consumption.

In the home’s kitchen, Hogan discovered an iced-down keg of beer and several bottles of liquor. Hogan continued outside to speak with the homeowners: Joshua Levi Mooneybeam, 21, of Cleburne; Jerry Dean Glenn, 21, of Cleburne; and Matthew Lobaugh, 20, of Cleburne. Hogan informed them that several people under the age of 21 were consuming alcohol in their residence and took them into custody on charges of supplying alcohol to minors. Lobaugh was also charged with illegal consumption.

Summey came out of the house with a clear-plastic bag containing marijuana found behind the television set in the living room, police said. Mooneybeam received a further charge of possession of marijuana after telling Summey the marijuana belonged to him.

Police asked everyone under 21 who had been drinking to step forward, only four did so. Police asked the remainder to consent to a sobriety test, which they did. Five more people were discovered to have consumed alcohol.

Police took the following Cleburne teens into custody on charges of illegal consumption: Kelsey Lee Shaw, 18; Acacia Huddleston, 19; Amber Roshelle Hart, 18; Thomas Stanley Dotson, 19; Casey A. Tackett, 17; Tommie Jack Lobaugh, 17; Maria Sevilla, 20; Anny Hernandez, 19; and Aaron Derek Aguilar, 18.

<http://www.cleburnetimesreview.com/local/local_story_298180538.html>

**State Street bars Eagerly Await the Crowd (Wisconsin)**

**SANDY CULLEN
*Wisconsin State Journal*October 27, 2006**

For establishments such as State Street Brats, preparations for Saturday's Halloween celebration have been weeks in the making.

"Halloween is probably the biggest weekend," said Tyler Kneubuehl, a manager at the tavern. "We will probably do about four or five times the business we do on a regular Saturday."

Factor in Saturday's home games for both the Badgers football team and men's hockey team and, Kneubuehl said, "This Halloween is going to be even bigger."

Kneubuehl wouldn't say exactly how much more beer and other spirits have been ordered to meet the demand. But "our keg rooms are really, really full," he said. "We've got the kegs stacked three and four high."

Still, with the capacity of Downtown bars limited to about 4,100 people, the vast majority of revelers who descend on State Street for the annual Halloween celebration - estimated at 75,000 in recent years - won't be boosting owners' profits, said Barb Mercer, president of the Dane County Tavern League.

The belief that Halloween is to bar owners what Christmas is to retailers "is kind of inaccurate," Mercer said.

With bars typically filled to capacity by 9 or 10 p.m., she said, "The chances of getting into a bar are pretty nil." And once inside, patrons stay put, she said, adding, "If you go out even for a cigarette . . . you take a chance of not getting (back) in."

"You reach a point of diminishing return," said Marsh Shapiro, a member of the city's Alcohol License Review Committee and owner of the Nitty Gritty on North Frances Street, which gets "parades of people" streaming through "to see and be seen" on their way to and from State Street.

"Once you get up to capacity, that's pretty much it," Shapiro said, adding that the costumed crowds can make it a challenge for patrons even to get a drink.

On a normal Saturday night, State Street Brats doesn't reach its 550-person capacity until about 12:30 p.m., if at all, Kneubuehl said. But on Halloween, it's typical to hit capacity by 8 or 9 p.m., if not sooner.

This year, Kneubuehl expects to be near capacity throughout the day because of Saturday's 11 a.m. football game and 7 p.m. hockey game, both of which patrons can watch on TV.

He also is anticipating post-game business, particularly from football fans who will be able to come to State Street before having to pay a $5 admission beginning at 7:30 p.m.

"UW is playing Illinois," Kneubuehl said. "It's going to be very crazy."

But Greg Meyers, owner of Buffalo Wild Wings Grill and Bar - isn't as optimistic about what this year's Halloween celebration will bring.

Meyers, who draws 70 percent of his busineess from food sales, said he usually sees "maybe 20 percent more business than a typical Saturday" on Halloween and might reach his 99-person capacity toward the end of the night.

The biggest preparation for Halloween is staffing, Meyers said, adding that instead of having one or two employees at the door, there will be a minimum of four people checking IDs and monitoring the crowds.

"Halloween is not much different from a Badgers gameday," Meyers said. "It's really just a typical night. The only difference is we like to staff a little bit more."

<http://www.madison.com/wsj/home/local/index.php?ntid=104848&ntpid=1>

No Doubt about it; Passage of Question 1 will Hurt, Liquor Store Owners Say (Massachusetts)

By Dan Atkinson , Staff Writer
*Daily News of Newburyport*

NEWBURYPORT - Rich and Paul Souza said they've seen this before. The general manager and manager at New England Wine & Spirits were working in Illinois when that state relaxed its liquor licensing rules. Chain stores like Walgreens soon took over the majority of alcohol sales, and Paul Souza said he fears his store will lose customers if that happens here.

"I would hope ... to keep a segment of customers," Souza said. "But our experience in Chicago says that's not the truth."

Souza and other local liquor store employees are worried about Question 1, which would create special liquor licenses for food stores. A community could issue at least five of these new licenses, with additional licenses based on population, that would allow food stores to sell wine.

Food stores can already receive liquor licenses, but they are heavily restricted - a single corporation can only own up to three licenses, and they are limited to the licenses already available in a city or town. Some stores, like Blanchard's or Kappy's, license their names to get around the three-store restriction. A recent Suffolk University poll showed 52 percent approval of the question, with 40 percent disapproving.

Kim Hinden, a spokeswoman for the Yes on 1 campaign, said allowing stores such as Shaw's and Stop & Shop to sell wine would bring down prices and be more convenient for customers.

"The liquor store lobby doesn't want competition because when there's competition, the price will be driven down and that will affect their bottom line," Hinden said.

But Massachusetts law forbids stores from selling goods at a loss, meaning there would be little difference in prices, Paul Souza said. He said large stores would sell "A" items - big sellers like Sutter Home wine - that smaller stores, like his State Street business, use to finance more creative items. New England Wine & Spirits recently ordered its own special whiskey distilled in Kentucky, an item that is funded by the cash flow from big-selling items, Souza said.

Pat Casavant, a shift manager for Leary's Fine Wines on Merrimac Street, said she was worried about lost business, as well.

"They don't need wine in their stores - they're making money," Casavant said.

Casavant and the Souzas were both sure that if wine made it into supermarkets, then beer would not be far behind.

Hinden said that was "ridiculous," adding that beer companies have contributed to the No on 1 campaign.

Rich Souza, though, said he did not trust the Yes on 1 campaign. He criticized the campaign strongly for referring to the state's individual and chain liquor stores as a "monopoly."

"The fact that they're willing to use a blatant lie ... where's their credibility at?" Rich Souza said.

"They're the ones who are upset because they can't get a monopoly," Paul Souza said.

But the biggest argument liquor store owners have used is one of safety, arguing that increased wine sales will lead to more drunk driving, especially among teenagers. While Yes on 1 says other states that allow wine in food stores do not have more underage sale violations, Phil Jones, manager of Route 110 Liquors in Amesbury said his experience was different. When he and his friends wanted alcohol as teenagers, Jones said, they would just go north to Seabrook and its supermarkets.

Jones said he understood and agreed with the economic reasons to allow grocery stores to sell wine, but he was concerned about the proposal as a parent. While his store has an I.D. checking machine and trains employees extensively, he thought there would be more potential for violations in food stores.

"Do we want more outlets for alcohol? As a parent, I don't," Jones said.

But Jones, who said he could lose 30 percent of wine sales if the proposal passed, said he thought most people will vote "yes" on Nov. 7.

"In my heart of hearts, I think it will pass," Jones said. "The American people like convenience."

<http://www.newburyportnews.com/local/local_story_299143545?page=0>

**Parents are Charged after Party and Crash (Massachusetts)**

By Jennifer Rosinski
Globe Correspondent
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Two Westborough parents will face criminal charges next month for hosting a house party this summer where alcohol was allegedly consumed by more than two dozen teens, one of whom was arrested after a car accident in town.

Karl and Carolyn C. Bjork are to be arraigned at 8:30 a.m. Nov. 20 in Westborough District Court on one count each of furnishing alcoholic beverages to a person under 21. Criminal complaints were issued against the couple after a hearing was held Tuesday before Assistant Clerk Magistrate Mary Anne Pozzessere.

"I hate to see it come down to this, but obviously people are not getting the message that this is unacceptable behavior," said Police Chief Alan Gordon. Gordon said he hopes this serves as a wake-up call to all parents in town that police are cracking down on the hosting of underage drinking parties.

"I hope they see this and realize we're taking this extremely seriously. If we come across it again, we will not hesitate to take out charges," he said. "People need to realize if they let underage individuals drink in their homes there will be consequences."

The Bjorks' attorney, Mark E. Sullivan, would not discuss the facts of the case or the backgrounds of his clients. He did say they are a law-abiding couple whose children have all attended the town's public schools and been involved in athletics.

"Both of them are very nice people and very good citizens of Westborough and have never been in any kind of trouble in their lives," Sullivan said. "It's the furthest thing in the world from their life experience to be involved in a case in court."

The charges stem from a party held on Aug. 22 at the Bjork's Gale Meadow Way home, Gordon said. Westborough police officers allegedly found vomit, empty beer cans, and red plastic cups in the road in front of and to the side of the house when they arrived just after 11 p.m. to investigate after learning of the party from the teen in the car accident. The Bjorks told police they were home during the party, which took place on a rear deck and in the backyard, but did not witness any of the approximately 30 underage guests consume alcohol, Gordon said. The couple's 18-year-old daughter threw the party to celebrate with friends before going off to college.

Police were alerted to the party by Jason Arnold, a freshman at Bridgewater State College who was one of the guests, Gordon said. The 18-year-old admitted to drinking three beers from plastic cups at the party when he was questioned by police after crashing his car that night. Arnold was charged with possession of liquor and marijuana after his car collided with another vehicle on Haskell Street shortly after 11 p.m. Police said Arnold passed a field sobriety test, but that a half-empty bottle of liquor was found in the pouch behind the passenger seat, and marijuana and rolling papers were found on and around the backseat.

The driver of the other car was taken to the University of Massachusetts Memorial Medical Center in Worcester with minor injuries.

Under state law, parents and grandparents are allowed to supply alcohol to their children and grandchildren, but providing alcohol to others under the age of 21 is prohibited.

The state also has a social host law that holds the party-throwers responsible if a guest leaves the party drunk and injures someone else.

<http://www.boston.com/news/local/articles/2006/10/26/parents_are_charged_after_party_and_crash/>

