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| *December 8, 2006* |

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

**1. Trade Talks at Risk of 'Total Failure', Says Head of WTO**

By Liam Halligan - *Sunday Telegraph*

December 3, 2006

A crucial global trade agreement to boost commerce and reduce poverty is heading for "total failure", the world's most powerful trade diplomat has told The Sunday Telegraph.

Pascal Lamy, the head of the World Trade Organisation, said the Doha round of trade talks "now faces collapse" unless the US Congress takes action to save it. Lamy's concerns about the future of the world's largest ever multilateral trade negotiations were shared by Richard Lambert, the head of the CBI.

Describing Lamy's intervention as "deeply significant", Lambert said a failure to rescue the stalled trade talks would have "very serious consequences both in terms of promoting business and cutting poverty".

Lamy's downbeat tone contrasts starkly with that of Tony Blair, who last week told the CBI conference he was "relatively optimistic" that a trade liberalising deal could be agreed among the WTO's 150 member states.

Lamy called on the EU and America to make concessions that could revive the talks. In a stinging rebuke to Western leaders, he said the global trading system "disfavours developing countries" and that some existing rules are "remnants of colonialism".

Stressing that the Doha talks were launched in 2001 as the "development round", Lamy said failure would spark "a political backlash from the developing world". He said the Doha talks could progress only if the US Congress granted an extension to President Bush's "fast-track" trade negotiating authority, which expires next July.

"I accept the WTO round will now not be completed before July next year," said Lamy. "So this round will fail unless we get some sort of extension to the fast track [authority]. That is what needs to happen."

Without "fast-track" authority, WTO deals can be unpicked by US law-makers, making them unworkable. Since the Democrats took control of both Houses of Congress last month, with many candidates winning on protectionist tickets, most analysts think an extension is highly unlikely.

"It is true that Republicans have traditionally been more supportive of trade deals," said Lamy. "But the Democrats need to remember that taking the US into multilateral agreements is a good thing."

Lamy said recent statements by Hank Paulson, the US Treasury Secretary, showed that the White House was now "fully engaged in trying to save the trade round".

Last week Paulson told the CBI that it would be "morally wrong" to give in to "protectionist elements", adding that these forces "needed to be confronted in a bipartisan way".

If the Doha agreement fails, Lambert said, "it could very well mark the end" of the multilateral trading system that "has driven the world economy forward for many years".

Commenting on Lamy's claim that global trade rules are "colonial", Lambert said: "We are now beyond midnight on this trade deal - so it's time to get tough and aggressive. Lamy is a master tactician, and is clearly trying to get every-one to come to the table and start making concessions."

 <http://www.telegraph.co.uk/money/main.jhtml?xml=/money/2006/12/03/cntrade03.xml>



**2. Ethanol Demand Gives Corn Prices a Boost, Creates Risk for Farmers**

By Rick Callahan

*Associated Press*

**Farmers face risks planting more in '07**

INDIANAPOLIS -- The ethanol industry's growing appetite for corn has pushed prices for the grain to their highest levels in a decade amid a surge that agricultural experts say could lead farmers next spring to plant their largest corn crop in 60 years.

Farmers -- including those in Kentucky and Indiana -- who plant more corn in 2007, however, will be betting that the nation's burgeoning ethanol industry won't go bust and oil prices stay high, keeping up demand for the corn used to make ethanol, said Chris Hurt, a Purdue University agricultural economist.

"It's a wonderful time for corn producers. They're extremely excited, but they're also apprehensive because they've seen booms before and they don't last."

More than 150 U.S. ethanol plants are under construction, planned or in operation, and market forces are pushing up demand for corn. Kentucky has one corn-based ethanol plant. The crop is ground into a mash mixture that's distilled into grain alcohol to become fuel.

 A.J. Mast/Associated Press

"This industry has exploded since 2000," Steve Riggins, a University of Kentucky economist, said in Louisville last week.

With a growing amount of corn being diverted from food products and livestock feed toward ethanol production, per-bushel prices have increased about $1 since mid-September.

As of Tuesday, the average price of a bushel of corn was $3.45 -- far above the $1.50 to $1.80 a bushel corn fetched at the same time last year, Hurt said.

He said the higher corn prices could boost Indiana farmers' incomes between 30 percent and 50 percent this year, with even higher increases possible in 2007.

Norman Voyles Jr., who farms about 1,800 acres in central Indiana near Martinsville, said the high corn prices are "exciting." Yet he said the price of corn would have to go even higher before he would shift soybean acreage to corn next year.

For now, he said, he's planning next year to plant his acreage about evenly in corn and soybeans. Voyles said he'd be uneasy planting corn on fields for a second consecutive year because breaking with crop rotation practices can create weed and insect problems.

Even though corn prices are higher, he and many farmers expect fuel, fertilizer and chemical suppliers to charge more for their products in response to the higher grain prices, and for cash rents for land to also rise.

"It's kind of exciting and yet all farmers kind of see a dark cloud someplace and they're always watching it," Voyles said. "I don't anticipate any kind of a windfall by any means."

The U.S. Department of Agriculture's current estimate for 2006's average farm price of corn is $3 a bushel, Hurt said. His early prediction for next year is an average farm price for a bushel of corn of $3.40, which would eclipse the record of an average $3.24 price set during the 1995 marketing year.

He said that next year American farmers could plant up to 89 million acres of corn, about 10 million more acres than this year. If that happens, it would be the largest U.S. acreage planted in corn since 1946, when the nation helped feed post-World War II Europe.

Gary Schnitkey, a farm financial management specialist at the University of Illinois, also expects American farmers to plant significantly more corn next year, but he cautions that many factors can influence how much acreage is eventually shifted to corn.

"We've never been in a position where we've seen this much new demand for a commodity," he said.

Schnitkey said the first clear indication of how much more corn farmers will plant in 2007 will come in March when the USDA releases a spring planting report.

In October, the U.S. Energy Information Administration reported that the nation's ethanol producers averaged a record daily production of 329,000 barrels in August. The agency also said this year's total U.S. ethanol production could be nearly 4.7 billion gallons.

 <http://www.courier-journal.com/apps/pbcs.dll/article?AID=/20061203/BUSINESS/612030344>



## 3. Anheuser-Busch – Cheap Beer

Posted Dec 4th 2006 2:01PM
by [Douglas McIntyre](http://www.bloggingstocks.com/bloggers/douglas-mcintyre/)
Filed under: [International markets](http://www.bloggingstocks.com/category/international-markets/), [Deals](http://www.bloggingstocks.com/category/deals/), [Industry](http://www.bloggingstocks.com/category/industry/), [Consumer experience](http://www.bloggingstocks.com/category/consumer-experience/), [Competitive strategy](http://www.bloggingstocks.com/category/competitive-strategy/), [Anheuser-Busch Cos (BUD)](http://bud.bloggingstocks.com)

Anheuser-Busch Companies Inc. (NYSE:BUD) traded at $46 in mid-December 2002. It currently changes hands at about $48. During that period, operating income has been fairly flat at in the $3.3 to $2.7 billion range.

Recently, BUD did a deal with InBev to import certain popular brands like Becks, which should add to its revenue. Deals like this may grow because BUD has by far the largest share of the U.S. market and a huge distribution network that would allow other companies to piggy back off of its infrastructure. BUD is also diversifying overseas to ramp up its revenue. Recently, it has purchased assets in Mexico and China.

While Diageo, a European competitor with revenue of just over $12 billion has a market cap of $59 billion, BUD has a cap of $36 billion on revenue of over $15 billion.

UBS recently [upped its rating on BUD](http://bud.bloggingstocks.com/2006/12/01/analyst-upgrades-12-1-06-tgt-pfe-jcp-ba-bud/) due to the InBev deal and the company says [it will raise prices](http://www.marketwatch.com/News/Story/Story.aspx?guid=%7B57F2FB9A%2DDEAF%2D4BDC%2DB1AC%2DB4009BCD74E4%7D&source=blq%2Fyhoo&dist=yhoo&siteid=yhoo) next year. The company has also reiterated its long-term growth goals, which means that 2007 could be a strong year for the brewer.

<http://www.bloggingstocks.com/2006/12/04/anheuser-busch-cheap-beer/>



**4. Give Me Vodka or Give Me Death (Excerpt)**

By Mihai Sarbu
Posted on 12/4/2006
*LVM Institute*

Last year Russian President Putin called for a state monopoly on vodka, due to what many consider a serious health crisis. He estimated that around 40,000 deaths annually can be attributed to various illegal products sold as vodka. All this while the state-owned RosSpirtProm was producing as much as 60 percent of the country's spirits. Beside the official vodka business, worth $9 billion according to some estimations, there was a $2 billion moonshine market.

The black market serves mainly the very poor with products of dubious quality. The solution proposed in the mid 2005 by Mr. Putin, and reported by Russian news agencies, was clear: "The best way for us to solve this problem is if we got from the government a decision which would practically move to a monopoly on spirits."

So the state moved swiftly and decisively to correct this problem by cracking down on foreign products of high quality, introducing a new labeling policy. The result was a crippling of the import of expensive wines and the like, but for some reason this did not halt the moonshine market that was - according to the officials who pushed for the restrictions in the first place - hitting the poor hard.

The moonshine market, by the way, is almost entirely local, so it is difficult to see how restrictions of foreign-quality alcohol may hurt it.

Now, in late 2006, the situation is even grimmer. The local black market is alive and well. Authorities are constantly battling the illegal production of vodka, while the quality of this counterfeit product plummets ever lower. Illegal traders are putting additives in drinks to make them stronger and cheaper, but the result is often lethal. These additives may include cleaners, car-window deicers, and chemicals used for removing rust. Bootleggers turn to drugstores for cheap antiseptics that contain alcohol and chemicals that may cause hepatitis to the consumer.

Once again, politicians like house's speaker Serghei Mirono, can't think of any other solution than state monopoly on ethyl alcohol. He accuses the Cabinet of not acting more vigorously in this direction.

State monopoly over spirits is nothing new in Russia. The first decree to that effect dates from the time of Ivan III in 1472. Apparently, on the eve of the WWI the court's revenue from the business was around 800 million rubels, or 30 percent of its total revenue.

Stalin learned his lesson well and reinstated the lucrative monopoly. Gorbachev's attempt to raise the level of sobriety in the country was a disaster. It brought a severe sugar shortage, as ordinary people rushed to produce their own vodka, privately. These consumers were the lucky ones.

Taxi drivers found a lucrative black market for hooch prepared out of windscreen-wiper fluid, eau de cologne, or melted shoe polish, which they were selling from under the car seat.

<http://www.mises.org/story/2387>



# 5. Bad News, Beers

*San Diego Union Tribune*

December 3, 2006

It's a bar, so there had to be beer there, right?

Come on.

It's a bar.

Off in the corner, there was a line of taps. But it must have been a prop.

A decoration, maybe.

Beer?

At Stingaree, the downtown nightclub and restaurant, people were pounding drinks galore on a recent Saturday evening. But they were mostly pounding cocktails and wine and chilled tequila shots.

They held little glasses with tiny straws poking out and damp napkins stuck to the bottoms.

People asked for lemon-drop martinis. Jack and Coke. And the ever-popular Red Bull and vodka.

It looked like a Rat Pack convention. Everybody was trying to look cool, sophisticated, upscale, smooth, hip.

Or: Unbeerish.

“We're mostly slinging booze across the bar,” said Ali Pouladin, a bartender at the swanky Gaslamp joint. “Some people drink beer, but not many.”

It's hard to call young people's fascination with spirits and wine a trend anymore. Or something that cocktail-swilling characters in “Sex and the City” – which had its finale more than two years ago – are fueling.

That's pretty much the way it is in more than a few venues.

Many theories are at play. Young people today grew up drinking sweet beverages – sodas, in particular. The taste of beer is foreign to them. They gravitate toward what they know – sweeter cocktails.

And pop culture is having a huge impact as well. Everybody from rap stars to People magazine regulars are sipping, not chugging. It's a look and a feel and an attitude: holding a clear, slender glass just right.

That symbol of the Cocktail Nation trend has evolved into an essential element of today's lifestyle.

Beer? Oh, it's still popular in at least one downtown hot spot – Petco Park.

Even people who like beer – such as Claudia Alonso, 23, who prefers Arrogant Bastard Ale – were drinking mixed drinks this night at Stingaree. Because it was the thing to do, it seemed.

Just about everybody else was doing it. She, for instance, was swirling a vodka tonic.

And her friends?

Not a one was pounding a frosty, refreshing, Rocky-Mountain-born cold one.

So what will it be?

At this time in history, when it comes to drinks, it's pretty much whatever you can imagine.

Vodka, for instance, comes in myriad flavors. Absolut recently announced it's ninth flavor – pear – which comes out in January.

And there are a myriad of venues – wine and martini bars, for instance – that cater to your wants.

It's sort of like jeans. There used to be just Levi's and Wrangler.

So beer is having a time of it trying to fit into the new world boozing order, apparently.

Sales have been flat, particularly when it comes to domestic brands. Imports and craft beers – which carry more unique tastes and branding – have been solid. The volume of craft beers sold, for instance, rose 11 percent from 2005 to 2006.

Overall, though, beer is trending downward.

In 1998, beer made up 59 percent of the alcohol sold nationally. Now it's slipped to just above 55 percent, according to Beer Marketer's Insights, a trade publication that tracks trends and sales in the beer industry.

Wine and spirits have grown, meanwhile.

Beer sales are not just stagnant at trendy Gaslamp places. They are also down slightly at beach venues, such as Moondoggies in Pacific Beach.

There, the difference was not nearly as stark. Lots of people were drinking beer on a recent night. But more than a few weren't.

Shaunna Gold, 23, was drinking a vodka tonic. She tends to stay away from beer because it fills her up, she said.

She was with a group of about half-dozen people. Only one was drinking beer. A guy.

And that young man, Colt Clements, 24, was drinking Yellowtail, a craft beer. And sometimes he likes to add punch to it – by dropping in a shot of JÄgermeister.

The others, all women, were drinking cocktails.

That wouldn't shock Kerry First, Moondoggies general manager. In the six plus years she's managed Moondoggies, she's seen a decline in beer sales.

Gold and the other women also noted that cost is an issue when it comes their drinking choices. When they go downtown, to the Gaslamp, they think forking over $8 for a beer is just too steep.

A cocktail, they say, gives you more for the money.

At one time, beer was just about it – particularly when it came to young people. At colleges, um, beer is supposed to be pretty popular.

For many young people, beer was their introduction to alcohol. Wine? That was for snobs. Bourbon? That was in your parent's liquor cabinet.

In the 1970s, the drinking age in many states was 18 – for beer. So that's what young people drank, because that's what they were allowed to drink.

The national drinking age was made 21 in 1984.

Of late, the spirits industry has been better at marketing and promoting its products, said Eric Shepard, executive director of Beer Marketer's Insights.

He wasn't surprised by the description of the scene at Stingaree. Such clubs are anything but beer halls these days.

It's not just that image thing. The low-carb-diet movement put a hurt in beer sales as well, said Merritte Powell, a partner in Confidential Restaurant and Loft, another downtown venue.

He's a case in point. He favors cocktails because they're not as filling. “I love beer, but I just don't drink it that often. Maybe at sporting events,” said Powell, who estimates that beer makes up only 10 percent of the alcohol sales at Confidential.

Spirit companies are now advertising on cable TV, too. For years, the industry had a voluntary ban against doing TV commercials. In 1996, it was lifted.

The ads highlight the sophisticated sipping of drinks. Models, all dressed up, sit in lofts or high-end bars.

Shepard noted that beer advertising pretty much follows a familiar theme: “It's men behaving badly.”

In ads for Old Milwaukee Light, a giant beer can crushes men for doing unmanly things, such as wiping grease off a pizza.

The distilled spirits industry believes its growth is no short-term phenomenon. It's been increasing its market share for the past five years, noted Shawn Kelley, a spokeswoman for the Distilled Spirits Council of the United States.

Beer has proven resilient, though. After all, it's been around since about the dawn of civilization. One anthropologist believes it may have been responsible for the dawn of civilization. According to the theory, early man liked the taste of fermented grain so much, he stopped his roving ways and settled down to farm, ensuring a steady supply.

And beer companies are looking to be hip to the changing trends in young people's drinking habits. They're introducing more craft beers, for instance.

Instead of a Bud, you can order Budweiser Select. You can get beer with caffeine in it.

Beer companies are also trying to follow the spirits industry with new packaging. Different beer companies are beginning to sell beer in aluminum bottles. Not only do they keep beer colder longer, they look modern.

“The beer industry has been challenged greatly by the innovation and variety of spirits,” said Bob Lachky, executive vice president of global industry development for Anheuser-Busch Inc.

The industry is fighting back, though.

Lachky is in charge of a campaign called “Here's To Beer,” which celebrates beer's history and impact on culture. The Web site for the campaign includes fun little facts about beer, such as it's illegal in Fairbanks, Alaska, to give beer to a moose.

The beer situation is hardly dire. In high-end joints, beer may be struggling, but, overall, beer remains king, Lachky noted, even if wine and spirits have been gaining.

But response is necessary to keep ahead, he said. That's why beer companies are trotting out new brands and marketing techniques.

Some wonder, however, if beer companies are offering too many products. The fracturing is hurting their core products, they argue.

Or it could be that beer companies are facing something that's even bigger than even they are. And that's societal change.

The swanky, hip genie is out of the bottle. And he wants something a bit more sophisticated.

For instance, one can buy something called Vincent Van Gogh Double Espresso Vodka.

Or: Hangar One Buddha's Hand Citron.

Or: A Miller.

<http://www.signonsandiego.com/news/features/20061203-9999-lz1c03badnews.html>



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| 6. Sober Thought: How to Mix Work, AlcoholTaking Cues From Bosses and Clients Can Keep Parties or Meals Under ControlBy DANA MATTIOLIDecember 5, 2006; Page B10www.WSJ.comThe days of the three-martini lunch may be long gone, but what is appropriate when it comes to drinking at work functions can be unclear to employees.There are some basics few would dispute. Getting drunk at a company event is never a good idea. If your company has an alcohol policy, follow it. If your company doesn't have one, use caution. One too many may lead to a career setback. Norms can vary depending on the situation. A meal over a job interview, for example, isn't the same as a meal with a client. Company parties, where open bars can be common, can present their own challenges.Most human-resources professionals -- 70% -- say drinking is accepted at their organizations' holiday parties, according to a survey by the Society for Human Resource Management in Alexandria, Va.If alcohol is served at your company event, one or two drinks usually are OK as long as they don't alter your judgment, says Jacqueline Whitmore, author of "Business Class: Etiquette Essentials for Success at Work." Set a limit for yourself before the event and stick to it.Why do some people drink to excess at parties when it might be against their better judgment? Social anxiety might be one reason, says organizational psychologist Steve Gravenkemper of Plante & Moran, a regional consulting and accounting firm in Southfield, Mich. Office parties can look and feel like social occasions instead of business, he says. Those uncomfortable at such events, he says, may use alcohol to reduce stress.If you expect to have a drink at a company party, says Ms. Whitmore, eat a snack before arriving to avoid drinking on an empty stomach. Although it may be a party, she says, remember it is work-related, and you are always being evaluated.When it comes to what to drink, take your lead from management. But don't match higher-ups drink for drink if they exceed two beverages, says Brad Karsh, president of JobBound, a career-consulting firm in Chicago. He saw a junior co-worker become sick at a Christmas party after trying to keep up with managers. "If you do something crazy, and they have to put you in a cab because you're throwing up on everybody, it won't advance your career," he says.If the crowd you are with is drinking to excess and you are pressured to join in, Dr. Gravenkemper suggests ordering a decoy, such as a club soda with a lime wedge and stirrer.After seeing senior-level professionals embarrass themselves at office parties because of drinking, Michael Watts decided not to drink in work-related situations. "You have to filter so much of what you say, and alcohol is the antifilter," says Mr. Watts, 47, president of the Long Island Partnership, a nonprofit linking businesses with economic-development programs.Drinking and company holiday parties don't necessarily go hand in hand. A telephone survey of 1,051 adults over age 18 in the U.S. by Harris Interactive for Martindale-Hubbell's lawyers.com in 2004 found that 38% have attended office holiday parties where alcohol wasn't served.[Chart]Beyond the holiday party, there are other work-related situations in which professionals may face decisions about whether or how much to drink. Consider this advice for navigating them.• **Happy hour:** Meeting up with colleagues isn't the same as hanging out with personal friends. Let your co-workers order first, so you can gauge what they are drinking, Mr. Karsh suggests. Don't follow the lead if the drink of choice is beyond your normal alcohol tolerance. "If everyone is ordering iced tea, don't order a Long Island iced tea," he says. • **Interview over lunch or dinner:** Avoid drinking during an interview over a meal. Candidates need to be on top of their game. If the interviewer offers, politely decline, even if your host indulges, says Mr. Karsh. • **Dinner with a client:** When dining with clients, let them order first. If the client orders a drink, it's OK to order one, says Phyllis Davis, the founder and director of the American Business Etiquette Trainers Association in Las Vegas. Splitting a bottle of wine doesn't give you the green light to drink half. Have only one or two glasses, depending on your body type and tolerance, says Ms. Whitmore.**Write to** Dana Mattioli at dana.mattioli@wsj.com  |

<http://online.wsj.com/services/article/SB116527602938140501-search.html?KEYWORDS=%22liquor%22+OR+%22Alcohol%22+OR+%22Drink%22&COLLECTION=wsjie/6month>



**7. MySpace-style Wine Website Launched**

5 December 2006
*Source: just-drinks*

Corkscrew Productions has started a MySpace-style online wine community for consumers called WineExperience.com.

The company said the site "leads the way for wine" into the Internet space popularised by YouTube and MySpace as places for members to share their own content.

The site allows members to upload articles, blogs and a daily audio Podcast of The Wine Experience Radio Show. They can also comment on existing articles and participate in a variety of wine forums.

Corkscrew Productions CEO Kenneth Ohr said: "Wine lovers of all ages and interest levels now have a place where they can find out more about wine and interact with others who have similar questions and interests. As part of the community they can provide their own opinions and points of view about wine, travel, food and entertaining."

The site also includes the full audio library of The Wine Experience Radio Show, a national radio show about wine.



**8. Red Wine Sales Surge: Record Highs on Media Coverage on Health Research**

*Daily News Links*
December 6, 2006

Sales of red wines in food, drug and liquor stores surged in the four weeks ending Nov. 18, following extensive media coverage of a study co-authored by researchers from Harvard University and the National Institutes of Health that found resveratrol, a substance found in red wine, extended the life and improved the health of middle-aged, overweight mice.

In early November, virtually every major newspaper in the country had a story on its front page about new studies suggesting consumption of red wine may help people live longer.

"People got the message," said industry analyst Jon Fredrikson of Gomberg, Fredrikson & Associates, the wine industry consulting firm. "Because we don't show up on the radar with any industry advertising, this kind of wonderful publicity-appearing on the front page of the New York Times and in papers around the country-generates attention and is great for wine."

"It certainly appears that the weight of favorable red wine press, on the heels of the Harvard Medical School report, impacted consumer choice within the wine category, leading to a surge of red wine sales much more pronounced than what we have seen historically, said Danny Brager, vice president, client service for ACNielsen's "Beverage Alcohol Team. "When you combine this press with the overall increase of older age groups within the U.S., it's very reasonable to assume that there is a strong linkage between the Red Wine sales trends we see, and credible medical studies related to the subject of health."

The overall surge in red wine sales led to a strong increase in sales for the entire table wine category, which was up 4.3 percent in volume and 8.4 percent in dollars, an increase of almost $50 million in retail sales compared to the same period a year earlier, according to AC Nielsen.

In the four weeks ending November 18, global sales of domestic Cabernet Sauvignon, as measured by ACNielsen, rose 19 percent, while sales of Australian Cabernet were up 18 percent, and domestic Merlot sales, which had been growing in the low-single digits, were up 13 percent. Sales of domestic Syrah were up 23 percent in the four-week period. With demand for domestic Pinot Noir outstripping supply, there was also a surge in sales of imported Pinot Noir. Sales of wines from Washington State rose 28 percent and Spanish wine sales rose 19 percent, while 3-Liter boxed wines rose 32 percent with more than 100,000 cases sold.

Red wines accounted for a record 52.4 percent of table wine dollar sales in food, drug and liquor stores as tracked by the scanner data in the four weeks ending Nov. 18, compared to just less than 50 percent in the immediately preceding 4-week period, and 51 percent in the comparable year-ago timeframe.

Red wine volume sales had been growing at 3.3 percent for the full year ending just prior to the recent favorable press, but the growth rate almost doubled to 8.3 percent for the 4-week period compared to the previous year's sales and more than 11 percent in dollar gains.

An estimated three thousand scientific articles related in one way or another to the health effects of drinking wine have been published since 1991, when 60 Minutes broadcast a segment about the French Paradox, the fact that people in France suffer relatively low incidence of coronary heart disease despite a diet rich in saturated fats. By 1995, science had advanced to the point that the U.S. Dietary Guildeines for health and nutrition not only discussed the negatives of alcohol abuse, but for the first time also referred to cardiovascular benefits associated with moderate wine consumption.

By law, wine and spirits companies are not allowed to talk about the therapeutic effects of consumption of wine to consumers, though the industry has referred to the dietary guidelines in the public policy arena.

Annual sales of wine in the United States have nearly doubled in volume and tripled in value since 1991. They have increased by roughly 125 million cases since the French Paradox broadcast in 1991 to about 300 million cases in 2006.



**9. Senate Passes Stop Underage Drinking Act, House Sets Vote Today**

*Beverage News Daily*
December 7, 2006

The Senate yesterday passed by voice vote and sent to the House the “Sober Truth On Preventing (STOP) Underage Drinking Act.”  The House scheduled a vote for this morning.

It’s the first national legislation to address underage drinking. Sens. Mike DeWine (R-Ohio) and Christopher Dodd (D-Conn.) were prime sponsors in the Senate, while Rep. Lucille Roybal-Allard (D-Calif.) was the prime sponsor in the House.

The final version was supported by all national bev/al associations, and the nation’s brewers and beer importers reiterated their support for the measure, as did the Wine & Spirits Wholesalers of America.

**What Law Will Do**

Once signed into law, the STOP Act will coordinate all federal programs and research initiatives on underage drinking, make permanent the Ad Council national media campaign directed at parents that started this year, and provide grants to colleges, states and nonprofit organizations to combat underage drinking in communities.

The measure will also support crucial research on health effects of underage drinking, and require the federal government to produce an annual status report on underage drinking in the U.S.



### 10. Grinches who Censor

Posted at 12:21 AM/ET, December 07, 2006 in [Business issues - Editorial](http://blogs.usatoday.com/oped/business_issues_editorial/index.html)

#### Banned labels.

A depiction of Santa hoisting a beer mug while checking his list of who's been naughty or nice might not be the ideal Christmas gift for children. But do the kiddies really need censors to protect them?

The Maine Bureau of Liquor Enforcement thinks so. It's [blocking an importer](http://www.mclu.org/News/PressReleases/11_30_06.html) from putting the image on beer bottles in the state.

The bureau banned the label for Santa's Butt Winter Porter as well as two other labels that feature paintings of bare-breasted women as "undignified or improper." Officials fear that the labels might encourage underage drinking. New York authorities also banned six beer labels for similar reasons but relented last month after being sued.

Never mind that federal regulators had already approved the labels (Yes, sadly, there are two layers of regulation for foreign beer labels). Never mind that this is specialty beer sold in tiny quantities mostly in liquor stores, where no child would see them. Isn't it sufficient to leave judgment of the labels' merit to beer buyers? If the community is unhappy, retailers won't carry the beer.

A federal appeals court saw it that way in 1998, letting [Bad Frog Brewery](http://www.publichealthlaw.net/Reader/docs/BadFrog.pdf%20) use a label depicting a frog giving a middle-finger salute. The court said the company and its artist were exercising their right to free speech.

And so they were.

One lesson: Beyond the microworld of beer labels, there are many more government busybodies who take themselves too seriously and the public's rights too lightly. People are more capable than they think.

<http://blogs.usatoday.com/oped/2006/12/post_15.html#more>



**11. Brown-Forman Pursuing Sale Of Hartmann Unit**

*DOW JONES NEWSWIRES*December 7, 2006 3:20 p.m.

Brown-Forman Corp. (BFA, BFB) said Thursday that it is pursuing the sale of its Hartmann Inc. luggage retail unit.

The Louisville, Ky., company, which primarily makes alcoholic beverages including Jack Daniel's whiskey, said in a regulatory filing that its board decided on Nov. 16 to try to sell the Hartmann unit.

The process of finding a buyer for the unit has begun, Brown-Forman said in its second-quarter report filed Thursday with the Securities and Exchange Commission.

Hartmann's operating results and net assets are not material to Brown-Forman, the company said.

At the end of its fiscal year, on April 30, Brown-Forman reported operating seven Hartmann luggage outlet stores in six states.



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

# 12. Iowans Press Wine from the Cold

### The super-sweet product can help distinguish the state's rapidly growing industry, experts say.

By JERRY PERKINS
*REGISTER FARM EDITOR*December 7, 2006

**Ames, Ia. —** In wine, as in life, timing is everything.

So Matt Nissen and his grape-picking crew at Prairie Moon Winery sallied forth into the vineyard one frosty morning
last week as the temperature hovered in the single digits.

Prairie Moon is a family business.

Nissen and his crew needed to wait for the temperature to fall below 15 degrees to pluck frozen Vidal Blanc grapes off the trellises. The frozen grapes will be pressed and fermented to become Winter Moon Ice Wine, a super-sweet, viscous concoction favored as a dessert wine.

Mike White, Iowa State University Extension crops and viticulture specialist, said Prairie Moon is the only winery in Iowa he knows of that makes ice wine. "There aren't many wineries in the country who make it," he said.

Ice wine can help distinguish Iowa's rapidly growing wine industry, experts say. In 2000, there were five wineries in the state and about 15 acres of Iowa-grown wine grapes, White said. Now there 45 wineries and 700 acres of grapes.

Murli Dharmadhikari, Extension oenologist, said Iowa's cold climate is perfect for making ice wine, and the state could become known for the specialty.

"Iowa's wine industry is new," he said. "We need to develop wines that we can make best."

Dressed in heavy winter garb, a stocking hat covering his head, Nissen, 26, looked more like a lumberjack than a winemaker.

"There's a fine line when you can pick grapes to make ice wine," he said. "The temperature has to get below 15 degrees soon enough in the fall, or the grapes will dry up and there'll be no juice in them."

###### ANDREA MELENDEZ/REGISTER PHOTOS

On a cold morning recently, Iowa State University students Lorilee Schultz, right, and Jodi Jurgemeyer set out to earn some money by picking grapes for Prairie Moon Winery in Ames to make ice wine. Prairie Moon’s 2005 vintage costs $48.95 for a bottle. The price is high reportedly because the grapes have to be allowed to freeze, which cuts their yield by 75 percent.

Steve Nissen, founder of Prairie Moon Winery in Ames, dumps a basket of frozen Vidal Blanc grapes into the grape press last week. To make ice wine, the temperature has to fall below 15 degrees before the grapes are picked. After pressing and fermentation, the resulting product is called ice wine. “It's nectar of the gods,” a wine expert says.



 This year, cold temperatures came just in time, Nissen said, before the Vidal Blanc grapes withered. Last year was the first year that Prairie Moon made ice wine. The 2005 vintage costs $48.95 for a 375-milliliter bottle.

Allowing the grapes to freeze cuts their yield by 75 percent. "That's why ice wine costs so much," Nissen said.

Last year, the winery made about 220 bottles of ice wine. This year, it will make about 800 bottles of the wine, Nissen said.

He said he learned about ice wine at a wine-making conference and decided to give it try. "In this day and age, you have to do something to distinguish yourself," he said of the winery business.

Dharmadhikari said ice wine is not easily crafted. Because the grapes have to freeze, the fruit has to hang on the vine for a long time, he said.

"That makes them more susceptible to disease, birds and other pressures," he said. "Also, there is less yield, and fermentation is more difficult."

Christine Ansbacher, a certified wine educator in New York known as "the wine diva," said ice wine is special because it isn't easy to make.

"It's nectar of the gods," Ansbacher said. "It's such a rarity, it has to be a labor of love."

Ice wine is best served with fruit or nuts, she said.

Prairie Moon is a family business.

Nissen's father, Steve, is the founder. Steve Nissen is also a part-time animal science professor at ISU.

Matt Nissen said his mother, Holly, a retired elementary schoolteacher, keeps everything organized. His uncle, Gordon Lubbers of Iowa Falls, is vineyard manager.

Nissen's sister, Lyndsay, an art student in California, designed the labels for Prairie Moon's wine bottles.

This year, the 20 acres located on Prairie Moon's two vineyards produced 35 tons of grapes that will be made into 4,000 gallons of wine.

"Next year, when more vines come into production, we should be at full production of 60 tons," Matt Nissen said.

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20061207/BUSINESS01/612070382/1001/NEWS>

## 13. 3 Pedestrians sent to Hospital after Accident  Two pedestrians are transported by ambulance to the UI Hospitals and Clinics

#### Emileigh Barnes -*The Daily Iowan*

**Issue date:** 12/4/06 **Section:** [Metro](http://www.dailyiowan.com/news/2006/12/04/Metro/)

An allegedly drunk driver struck three people crossing the intersection of Clinton and Burlington Streets early Sunday, leaving all three pedestrians injured and the driver unscathed, police reported.

Officers said Mark Moore, 51, of Lawrence, Kan., was driving east on Burlington Street when he reportedly hit the three people.

Two of the pedestrians were transported to UI Hospitals and Clinics via Johnson County ambulance. A third was transported to UIHC by car, police said.

Moore, the only person in the vehicle, was charged with OWI, police said. Any other charges Moore might face depend on an investigation, said Iowa City police Sgt. Bill Campbell.

"Beyond [OWI], he may or may not have any other responsibility," Campbell said on Sunday. "It may not have been his fault."

Pedestrians also have responsibilities and rules when crossing streets, he said.

"Striking a pedestrian isn't really a charge," he said. "The issue would be what did [Moore] do with the vehicle that was wrong."

An Iowa courts online search uncovered no previous convictions in the state for Moore.

Burlington Street has been the site of several accidents involving pedestrians or bicyclists and vehicles.

In July, a bicyclist collided with a Girls Gone Wild bus at the intersection of Burlington and Linn Streets.

The victim lay under the bus in the rain for approximately 20 minutes before the Iowa City Fire Department used air bags to lift the vehicle from the unidentified man.

Iowa City police Officer Carlos Trevino said in July that the bicyclist was conscious the whole time he was being pulled out from under the bus.

In a Sept. 4, 2003, incident, Amanda Skolnick, then 20, died after a Ford Explorer struck her as she crossed the intersection of Linn and Burlington Streets.

Police reports stated Skolnick was dragged 30 feet before driver Thomas Eldridge realized she was under his car. She died the next day at the UIHC from head injuries sustained during the accident.

Her parents later filed a lawsuit against Eldridge, contending that the 22-year-old was negligent when he hit their daughter.

Urine provided by Eldridge after the accident showed about twice the federal standard for marijuana intoxication, testified experts from the state Division of Criminal Investigations at Eldridge's trial. Eldridge denied that smoking marijuana impaired his driving.

He was charged with vehicular homicide but later pleaded guilty to involuntary manslaughter.

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[http://media.www.dailyiowan.com/media](http://media.www.dailyiowan.com/media/storage/paper599/news/2006/12/04/Metro/3.Pedestrians.Sent.To.Hospital.After.Accident-2519526.shtml?sourcedomain=www.dailyiowan.com&MIIHost=media.collegepublisher.com)



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

**14. Liquor Distributors not Liable for Drunken Driving Crash (New Mexico)**

*Associated Press*

December 1, 2006

SANTA FE \_ The state Court of Appeals ruled in favor of liquor distributors in a drunken driving case.

The court ruled that liquor distributors can't be held liable for a drunken driving crash during an Indian casino promotion that injured a Las Cruces family.

The crash in May 2003 injured Joseph and Peggy Chavez and their young niece, Katrina Baca. The drunk driver, 23-year-old George Starr, was killed in the crash.

It occurred during the Memorial Day weekend opening celebration of the Mescalero Apache Travel Center Casino. The celebration featured all-night alcohol service.

Starr was a casino employee. According to court papers, Starr arrived at the casino on the second day of the promotion at about 2 in the morning and left more than four hours later.

When his car crossed the median on U-S 70 and hit the Chavez family's car, his blood alcohol content was zero-point-two-four. That's three times the legal limit.

The family members sued the casino, its insurer, and four liquor distributors who supplied alcohol during the promotion. The claims against the casino and its insurer were settled. A state district judge in Santa Fe dismissed the claims against the distributors, and the family appealed.



**15. State Says, No No No to Beer's Santa Label (Maine)**

*Associated Press*

Dec 1st

Portland, Maine - A beer distributor says Maine is being a Scrooge by barring it from selling a beer with a label depicting Santa Claus enjoying a pint of brew.

In a complaint filed in U.S. District Court, Shelton Brothers accuses the Maine Bureau of Liquor Enforcement of censorship for denying applications for labels for Santa's Butt Winter Porter and two other beers it wants to sell in Maine.

The episode is reminiscent of last year when Connecticut told Shelton Brothers it had problems with its Seriously Bad Elf ale. The state later approved the sale of the beer.

"Last year it was elves. This year it's Santa. Maybe next year it'll be reindeer," said Daniel Shelton, owner of the company in Belchertown, Mass.

The lawsuit, filed Thursday, contends the state's action violates the First Amendment by censoring artistic expression.

But the state says it's within its rights. The label with Santa might appeal to children, said Maine State Police Lieutenant Patrick Fleming. The other two labels are considered inappropriate because they show bare-breasted women.

"We stand by our decision and at some point it'll go through the court system and somebody will make the decision on whether we are right or wrong," he said.

The lawsuit was brought by the Maine Civil Liberties Union, which says the beer labels are entitled to First Amendment protection.

"There is no good reason for the state to censor art, even art found on a beer label," said Zachary Heiden, staff attorney for the MCLU.

The label for the English-made Santa's Butt Winter Porter shows a view from behind of Santa Claus with a pint of beer in hand sitting on top of a barrel. The beer's name has a double meaning by referring to Santa's rear end and to the "butt" of beer, a term that designates a 126-gallon barrel.

The label for a French ale, Les Sans Culottes, is illustrated with detail from Eugene Delacroix's 1830 painting "Liberty Leading the People," which hangs in the Louvre and once appeared on the 100-franc bill.

The label for Rose de Gambrinus fruit beer shows a bare-breasted woman in a watercolour painting commissioned by the Belgian brewery that makes the beer.

In a letter to Shelton Brothers, the state denied the applications for the labels because they contained "undignified or improper illustration."

By law, the liquor licensing division of the Department of Public Safety reviews between 10,000 and 12,000 applications a year for beer and wine labels. The agency typically denies about a dozen a year because they contain inappropriate language or nudity, or might appeal to children, Fleming said.

"Basically, the standard we use is what are people going to see walking up and down a store aisle," he said.

Mr. Shelton said his company filed a lawsuit against the New York State Liquor Authority last month after it denied his applications for six holiday-themed beer labels, including Santa's Butt Winter Porter. The state changed its mind but the lawsuit there is going forward, he said.

In years past, the company has had labels challenged in a handful of other states, including Ohio, North Carolina and Missouri, he said.

States have the power to regulate alcohol through the 21st Amendment, which repealed Prohibition in 1933. "But I don't know where they get the idea they can ignore the rest of the Constitution," Mr. Shelton said.



# 16. Pennsylvania Supermarkets Finding Ways to Offer Alcohol (Pennsylvania)

*The Express Times*

December 03, 2006

More area shoppers can mix suds and sundries on their grocery lists as Pennsylvania chains delve into alcohol sales.

Taking advantage of takeout-beer licenses usually sold to restaurants, Wegmans is close to adding beer to its Lower Nazareth and Hanover townships stores' food courts.

Mr. Z's in Tannersville, Monroe County, carries beer, and its King's sister store in Schnecksville, north of Allentown, is going through approvals to follow suit.

"Today's supermarkets are in the business of offering more choices and more options," said Dennis Curtin, a spokesman for Mr. Z's, King's and Weis stores. "We think this is a good option for our business and most importantly for our customers."

Giant Food Stores have no plans for beer and wine sales in their food courts, company spokeswoman Tracy Pawelski said.

However, in October, Giant announced the purchase of 14 Clemens Market stores in Bucks and other Pennsylvania counties. Four of the Clemens stores housed One Stop Shops owned by the state Liquor Control Board. The board has 20 such shops statewide.

Selling beer inside grocery store food courts requires a restaurant or eating-place license, Liquor Control Board spokeswoman Dawn Petrosky said. Regulations include erecting barriers to separate the beer cooler from the rest of the market. A maximum of 192 ounces, or 16 12-ounce containers, can be sold in a single sale.

New Jersey also allows alcohol sales in grocery stores, though such combinations are "not terribly common," said Peter Aseltine. He is a spokesman for the state attorney general's office, which encompasses the Division of Alcoholic Beverage Control.

"Liquor licenses are very expensive," he said. "There are a very limited number in the state."

In addition, New Jersey grocers that sell booze are prohibited from employing anyone under 18. Garden State grocery store owners are also limited to two liquor licenses each; some chains get around this by franchising individual stores, Aseltine said.

The Lower Nazareth Township Board of Supervisors last month unanimously approved beer sales at the Wegmans off Route 248, provided the company obtains a state license. The company plans to seek similar approval from Hanover Township, Northampton County, for its Route 512 store.

Not everyone backs the expansion of Lehigh Valley customer options.

"Our radar is up whenever there is an enhanced availability for consumption of alcohol," said Rebecca Shaver, the regional executive director of Mothers Against Drunk Driving in Pennsylvania and New Jersey. "We are very concerned increased availability leads to increased consumption, which leads to increased tragedies."



# 17. New Program Trains Bartenders To Reduce Underage Drinking (Idaho)

[*Fox 12 Boise*](http://www.fox12news.com/Global/story.asp?S=5763204&nav=menu439_1)

Dec 4, 2006

Boise, Idaho --  Boise Police are launching a new program aimed at decreasing underage drinking and over service of alcohol at local bars, clubs and restaurants.

The first training class took place Sunday at the Funny Bone Comedy Club in downtown Boise.  Local comedians who are certified as trainers helped facilitate the free class.

The event is part of a pilot project to develop effective training for servers that will benefit the community.

"By providing training to servers, bartenders and even doormen, we're trying to just educate them to prevent problems from happening. Obviously that's a goal of the police department, less problems is less calls. We're spread thin as it is we can be around more places to deal with other issues," said Boise Police officer Jermaine Galloway.

Funding for the program was provided by the Department of Justice's Office of Juvenile Justice and Delinquency Prevention.

The Idaho Department of Juvenile Corrections sponsored Sundays event along with several other local businesses and organizations.

<http://www.fox12news.com/Global/story.asp?S=5763204&nav=menu439_1>



# 18. Council Approves Sunday Sales (Tennessee)

*[WDEF News 12](http://www.wdef.com/node/1570%22%20%5Co%20%22http%3A//www.wdef.com/node/1570)*

Dec 4, 2006

The Dalton City Council gives the green light for Sunday liquor by the drink sales, and now many local restaurant owners say they expect to see a boom in sales in just a matter of days.

Sunday liquor by the drink sales are legal now in Dalton, and for Applebee's manager Tiffany Gordon, it's been a long time coming.

Gordon: "We've got several things that we've been wanting to do for forever now, and so now is a great opportunity to be able to start some of those specials for the public."

Start those specials, she says, and hopefully start up some more sales.  Gordon says she expects Sunday business to soar soon, all because people can now have a drink with dinner.  For smaller, independently-owned restaurants, the news means the possibility of more local interest.

Mario Collantes, Garcia's Restaurant: "If we sell alcohol here on sundays, then people are going to stay here in town, they don't have to drive all the way to Chattanooga."

And Gordon says she's looking forward to telling the travelers from I-75 coming through Dalton that they can order liquor with their meals.  She says before, it was a struggle with the customers.

Gordon: "A lot of people didn't understand it and it was really difficult explaining to the travelers that you know, we don't do that, it's just against the law."

Dalton Mayor Ray Elrod says the vote was cut and dry in spite of previous controversy surrounding the issue.  Voters approved the ordinance with just 54 percent of the vote.  He says city council based their decision on what the citizens voted in the November election.

Elrod: "Majority rules and we felt like that's what the community wanted us to do and so that's what we did."

Their unanimous vote is the news local restaurants have been waiting for -- and they won't have to wait much longer to start pouring those drinks.  The new law goes into effect in just five days.

<http://www.wdef.com/node/1570>



19. Underage Drinking Target of Compliance Checks (Oregon)

In an effort to reduce the use and sales of alcohol to minors, "compliance checks" will be conducted on Saturday, Dec. 9, at 90 percent of all off-premise alcohol sales retailers in Newport.

Funding for the compliance checks comes from the Rural Communities Initiative Grant for the Enforcement of Underage Drinking Laws, which was awarded to Lincoln County Health and Human Services. The compliance checks will be conducted by the Newport Police Department and the Lincoln County Sheriff's Office, with the assistance of the Oregon Liquor Control Commission.

Working with plain clothes and uniformed officers, underage youth will enter businesses and attempt to illegally purchase alcoholic beverages. In alcohol purchase attempts made by researchers across the United States, youthful-appearing buyers were able to purchase alcohol without any question at least 50 percent of the time.

Law enforcement personnel conduct compliance checks to ensure that local businesses do not sell alcohol to underage people. Charges resulting from the compliance check will be forwarded to the Lincoln County District Attorney's Office.

Illegal alcohol use by underage persons contributes to crime, car crashes, injuries, sexual assault and death. Law enforcement officers find that alcohol also has a role in many of the more frequent crimes and nuisances that degrade the quality of life in the community. Many noise complaints, vandalism littering and similar nuisances involve young people who have been drinking.

Public health officials report that alcohol use and abuse is also connected with teenage pregnancy, sexually transmitted disease and other health problems.

"We have learned that the community and our youth are safer and healthier when they don't start using alcohol until after the age of 21," said Wendy Rudy, substance abuse prevention coordinator for Lincoln County Health and Human Services.

Under Oregon law, furnishing alcohol to a visibly intoxicated person or to a person under the age of 21 is a Class A misdemeanor, punishable by a maximum fine of $6,250 and up to a maximum of one year in jail. Typical offenders are fined several hundred dollars.

<http://www.newportnewstimes.com/articles/2006/12/04/news/news12.txt>



**20. Ban on Drink Specials Proposed to Stem Student Drinking (North Dakota)**

FARGO, N.D. (AP) - Campus officials are proposing to ban certain drink specials at bars as a way to reduce drinking problems among college students.

Karin Walton, director of the North Dakota College Consortium for Substance Abuse Prevention, brought up the issue Tuesday at the Gov. George Sinner Public Policy Symposium at Concordia College in neighboring Moorhead, Minn. The event focused on drug and alcohol abuse.

Walton said drink specials like three-for-ones encourage excessive drinking in a short time.

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Laura Oster-Aaland, a student orientation director at North Dakota State University, said 27 states have legislation that prohibits happy hours or drink specials

''I don't think it's the only solution, but it's a step in the right direction,'' Oster-Aaland said.

''Obviously, anyone who wants to drink to excess is probably still going to be able to do it, but to openly promote excessive drinking is something that should not be allowed in our society,'' said Minnesota state Rep. Morrie Lanning, R-Moorhead.

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Dan Dammer, owner of Big Daddy's in Fargo, which offers two-for-one drink specials, said legislation banning them would have little effect. Customers decide how much they want to drink, he said.

''I don't think it's driven by the price as much as people would believe,'' Dammer said.

Gary Peterson, owner of Chumley's in Moorhead, said there are so many variables in the liquor industry that it would be hard to legislate.

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''I don't know any way they could write a law to get rid of them (drink specials),'' Peterson said.

Peterson, who has worked in the food and beverage industry for 37 years, said bar that offers three drinks for the price of one but puts half a shot in each drink may be better
than a bar that puts 1 1/2 shots in one drink.

For the legislation to be effective in border cities, both Minnesota and North Dakota would have to support it, said Susanne Williams, assistant to the Minnesota State University Moorhead president.

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Oster-Aaland said supporters are looking for someone to sponsor legislation that could target drink specials starting at a certain time of day, such as after 11 p.m.

Walton said she also would like to see a law requiring employees to get training before
they can serve alcohol.

Dammer said server training has helped his employees to recognize when customers need to be cut off or when to call them a cab.

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In Fargo, West Fargo and Moorhead, server training is taught by law enforcement officials and coordinated by the Safe Communities Coalition. Walton said it could be a model for other cities.

East Central District Judge John Irby said he would like to see the state provide more money for drug courts, which offer intensely supervised programs as an alternative to jail.

<http://www.crookstontimes.com/articles/2006/12/04/news/21news8.txt>



**21. Belmar keg-tag Proposal would Affect one Liquor Store (New Jersey)**

Town's only other vendor doesn't sell kegs

Posted by the [Asbury Park Press](http://www.app.com) on 12/1/06
BY ERIK LARSEN
*COASTAL MONMOUTH BUREAU*

BELMAR — A proposal being floated to tag beer kegs, for the purpose of curbing underage drinking in town, would impact just one of the two liquor stores in the borough.

Hanley's Liquor Store at 807 Main St. does not have kegs in its inventory, said Arkadiuz Targonski, manager of Hanley's.

At the Little Red Barn at Main Street and 16th Avenue, owner Elsye Wong said the proposal was a good idea. She said it's not uncommon for law enforcement officers to come into her store because alcohol purchased there had been recovered at underage drinking parties.

"That has happened, so this would be better for us, maybe," Wong said.

Alice A. Farr-Leonard, president of the Belmar Chamber of Commerce and a real estate agent in town, said she did not think there was a big enough underage drinking problem in town to warrant discussion about such an ordinance.

"We didn't know there was an underage drinking problem that was rampant in Belmar," Farr-Leonard said. "That doesn't mean I know everything. But I was just reading in the police blotter that there is a little controlled dangerous substance (issue), disorderly persons (offenses). We're not a university town. We didn't even get a big college crowd for the winter rentals."

The Borough Council Wednesday directed the chief of police to investigate the practical implications of tagging and registering beer kegs purchased in town.

If Belmar were to adopt such an ordinance, it would be poised to become the first municipality in Monmouth County and one of the first in New Jersey to do so, according to Barbara T. Sprechman, director of community services for Prevention First.

Keg registration laws have been enacted in Washington, D.C., and 25 states, including Connecticut, Maryland, Massachusetts, New Hampshire, Rhode Island, Vermont and Virginia, Sprechman has said.

Council President John Szeliga proposed the measure at a meeting Wednesday night. Szeliga, whose term expires at the end of the year, had participated in a forum this week in which beer keg registration was discussed.

Although Mayor Kenneth E. Pringle said he was not opposed to the ordinance, he said he thought such a measure would be better taken up by the state Legislature.

Police Chief Jack Hill is expected to report back to the council sometime this month on whether Belmar's neighboring municipalities would be interested in entering into a compact on the matter. In theory, each town would adopt the same ordinance and use the same system to tag, register and track beer kegs.

[http://www.app.com/apps/pbcs.dll/article?Date=20061201&Category=
NEWS01&ArtNo=612010389&SectionCat=rss01&Template=printart](http://www.app.com/apps/pbcs.dll/article?Date=20061201&Category=NEWS01&ArtNo=612010389&SectionCat=rss01&Template=printart)



**22. Three Napa Vintners Suspended by ABC (California)
10-day discipline hits producers who lacked license to pour**

By JACK HEEGER
*Register Staff Writer*
Tuesday, December 5, 2006 11:09 AM PST

Three Napa Valley vintners cited by the California Department of Alcoholic Beverage Control for illegally pouring wine at a consumer event have had their licenses suspended for 10 days.

The three - Eagle Eye Wine, Elkhorn Peak Cellars and StoneFly Vineyard - were tagged in May at a fundraiser in Tiburon. They were charged with violating terms of their licenses. They appealed the citation and pleaded their case before an administrative law judge in Napa in September.

The case raises interesting questions for the many vintners in California that do not operate their own wineries.

The three vintners in the case all have their wines made at custom crush facilities and hold what are called Type 17 (wholesaler) and Type 20 (retailer via the Internet and direct sale to consumers) licenses. Those licenses do not allow them to pour at consumer events.

A Type 02 license, which is held by vintners with physical winemaking facilities, does allow consumer pouring.

In a letter sent to each of the three, the ABC said five days of the suspension are stayed, provided that no violations or disciplinary actions occur within the next year. The suspensions are to take effect Jan 18, 2007.

In making his ruling, administrative law judge Robert Coffman acknowledged that the trio received no remuneration for their participation at the Tiburon event and that the motive for participating was to "gain public awareness of its wines and to donate to a civic organization."

He further said in his order that the three were unaware that participation in the event was a violation of ABC regulations. He also wrote, "The Department (ABC) has not always been diligent in enforcing the laws governing wine tastings, primarily because of staffing limitations and the lack of complaints about such events."

Nonetheless, the judge ruled that their participation violated two sections of the Business and Professions Code and constituted cause for discipline under two sections of the state constitution.

None of the principals at the three wineries was surprised at the decision.

Ken Nerlove of Elkhorn Peak Cellars said when they decided to appeal the citations, "We hoped to get the penalty reduced, and we hoped to get this out in front (of the public), and we accomplished those."

Bill Wolf of Eagle Eye Wine referred to the portion of Coffman's decision that read, "Some licensees came to believe that the statutes dealing with wine tastings by non-profit organizations . authorized donations of wine to such organizations, and that conducting a wine tasting is a form of 'donating.'"

Although Wolf acknowledged that Eagle Eye broke the law and expected an adverse decision, he said, "I felt that the ABC should have given us a smack on the hand and told us not to do it again. And then they should have sent a letter to everyone else (who hold the licenses under question) and warn them of the law."

"They (ABC) have to do it and I respect that," said Claudia Sansone of StoneFly Vineyard, referring to the suspension. "I'll just use that time to be a little more domesticated," she said with a laugh.

When they were originally cited, the charges included illegally donating wine as well as pouring. In October the ABC re-interpreted the law and said that holders of any type of license were allowed to contribute wine to charitable organizations, but emphasized that the change did not affect pouring at consumer events.

The ABC originally had recommended a 15-day suspension or a fine, the size of which is determined by a formula involving last year's gross revenues.

"I had no intention of paying the fine," Sansone said. Instead she joined with Wolf and Nerlove in appealing the citations.

For Nerlove, it would have meant a fine of about $7,000. Wolf said he had not calculated the fine but would accept the suspension.

Another Napa Valley vintner, Tom Bardessono of Bardessono Vineyards, also was cited at the Tiburon event, but opted to accept the 15-day suspension.

More than a dozen vintners contacted by the Register acknowledged that they had no knowledge of the restrictions on the Type 17 and Type 20 licenses and had never heard of any enforcement of those restrictions. But an ABC official said that about 50 cases had arisen during the past year and that enforcement had been stepped up in recent months.

Wolf said he had been told by an ABC representative that the citations were triggered by complaints from some large wineries in Sonoma County holding type 02 licenses.

"My production won't be a threat to a big winery," said Nerlove, who produces only 1,500 cases yearly. "Their (large wineries') ad budgets are bigger than our gross revenue."



# 23. Southington Mom Allegedly At Hotel With Underage Drinkers (Connecticut)

POSTED: 5:30 pm EST December 5, 2006

UPDATED: 6:33 pm EST December 5, 2006
*www.nbc30.com/news*

Court papers show Milia rented one room at a Residence Inn for herself and another room for her 17-year-old son, two of his friends, and three 14-year-old girls.

Milia is also accused of buying the children three 40-ounce bottles of Coors Light and a bottle of Bacardi watermelon rum.

Milia now faces criminal charges of providing the teens alcohol and putting them in harms way.

She'll be back in court Dec.18.

Her son faces statutory rape and other charges and the two other teenage boys face criminal charges as well.

<http://www.nbc30.com/news/10470181/detail.html>



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# 24. Flippin Looks at Regulating Alcohol Sales (Arkansas)  [*Baxter Bulletin*](https://webmail.iowa.gov/exchweb/bin/redir.asp?URL=http://www.baxterbulletin.com/apps/pbcs.dll/article?AID=/20061206/NEWS01/612060309/1002)December 6, 2006

FLIPPIN — The recent approval of liquor sales in Marion County has Flippin city council members wondering how to regulate the new issue.

The Arkansas Alcoholic Beverage Commission has received approximately 68 applications for permits to sell alcoholic beverages in Marion County, where residents voted Nov. 7 to allow the sales by a vote of 3,600 to 2,487, or 59 percent.

The city's attorney, Roger Morgan, said the council will likely need to address alcohol sales in the future. Morgan said the city can require establishments offering alcohol to be zoned commercially or implement time constraints on what hours alcohol can be sold.

Outgoing council member Grace Maples proposed banning businesses in Flippin that primarily sell alcohol. She also suggested enacting a 1-percent sales tax on all alcohol with proceeds going to the Flippin School District.

"I think it would definitely be an asset to the city and school," she said. "I do not want to see open beer joints."

Morgan said he would have to research the subject further but thought the city could not ban businesses based on alcohol or enact a sales tax just on alcohol.

"That's a situation that is just going to get you sued," he said.

Mayor Mary Jane Erwin said she is unsure how much power the city has to regulate businesses offering alcohol.

"We're somewhat green on what we can do and can't do," she said. "This is new to Marion County."

Morgan said he would provide the council with laws pertaining to businesses selling alcohol.

In other business, the council:

# Accepted the resignation of Arnold Berg as city works director. Berg is retiring after more than 35 years with the city. Erwin said she would begin advertising immediately for the open position.

# Approved the 2007 budget, which is similar to last year's budget. The budget projects approximately $1.8 million in revenues with $1.7 in expenditures.

<http://www.baxterbulletin.com/apps/pbcs.dll/article?AID=/20061206/NEWS01/612060309/1002>



# 25. Idaho Communities Rush to Tweak Sunday Alcohol Laws for New Year's (Idaho) [*Associated Press*](https://webmail.iowa.gov/exchweb/bin/redir.asp?URL=http://www.localnews8.com/news/regional/4833186.html)December 5, 2006

BOISE, Idaho (AP) - As New Year's Eve approaches, some Idaho communities are racing to tweak their alcohol laws in time for the big day.

That's because New Year's falls on a Sunday this year, and Idaho is peppered with Sunday alcohol ordinances. One statewide law bans the sale of liquor by the drink on Sundays.

In Twin Falls, the city council voted Monday to overrule the liquor ban. In Preston, the council voted to allow bars to stay open past 9 p.m.

Local officials say relaxing the laws will keep New Year's Eve revelers and their money in town for the night.

<http://www.localnews8.com/news/regional/4833186.html>



# 26. More N.C. Stores Refusing to Sell Alcohol, Tobacco to Underage Buyers (North Carolina)

[*Asheville Citizen Times*](https://webmail.iowa.gov/exchweb/bin/redir.asp?URL=http://www.citizen-times.com/apps/pbcs.dll/article?AID=200661205111)

December 6, 2006

RALEIGH — Fewer stores in North Carolina are selling alcohol and tobacco to teens, according to compliance rates provided by the state’s Division of Alcohol Law Enforcement.

The latest rates show the state exceeds federal requirements with a 16.5 percent alcohol compliance rate.

That means teenagers working for the state in spot checks were successful a little more than 1.5 times out of 10 in buying alcohol. The federal government requires a 20 percent compliance rate.

Alcohol compliance rates have steadily improved over the past several years, something law enforcement agents attribute to vigorous training and enforcement efforts.

The Division of Alcohol Law Enforcement employs 117 agents to enforce alcohol and tobacco laws in 17,000 stores statewide. A supervisor, a deputy supervisor and eight agents oversee Western North Carolina’s 18 counties.

Based on federal fiscal years that begin in October, teens were successful 28.3 percent of the time during the 2003-04 year and 27.6 percent of the time a year later.

In 2003-04, teens were successful 19 percent of the time in illegally purchasing tobacco. That percentage rose to 20 percent a year later and dipped to 18 percent last year, the latest period statistics were available.

In Western North Carolina, Clay County had the worst tobacco compliance rate, at 50 percent. Polk County had the region’s best rate at 4 percent.

“We do massive amounts of training,” said Mike Robertson, state ALE director. “We do programs on demand. Recently the courts have required offenders to go to a BARS (Be a Responsible Server) program before giving a probationary sentence.”

The law

State law prohibits the sale of alcohol and tobacco products to minors younger than 21 and 18, respectively.

Clerks who sell tobacco products face a misdemeanor charge. Those who sell alcohol to minors also face a misdemeanor charge and, if convicted, they can’t work in a place that sells alcohol for two years. In many cases, the employee is fired.

Retailers are cited and possibly face a written warning or fines, in the case of illegal alcohol sales. Tobacco violations draw a citation.

Rob Tom, owner of Digable Pizza in Asheville, said he rarely has problems with teens trying to buy alcohol.

“We know who our regulars are,” Tom said. The restaurant passed in April an alcohol compliance check. “We don’t have a training program. But it’s in our best interest to card everyone, just to be on the safe side.”

Henry Fisher, owner of Nik Pik Market & Deli in Asheville has a similar policy. His store passed a tobacco compliance check in February.

“If they look like they’re under 27, we card them for tobacco products and if they look under 30, we card them for alcohol,” Fisher said. “If they don’t have a valid picture ID, we don’t sell to them.”

Latest checks

ALE agents in November randomly checked 66 businesses in Avery, McDowell and Buncombe counties. Of these, 16 store clerks violated the law by selling tobacco products to customers who were younger than 18.

“They don’t pay attention to the ID,” said Steve Myers, an ALE agent in Asheville who does tobacco compliance checks. “They think if they (the customer) give me an ID, they’re old enough.”

In Buncombe County, eight stores sold alcohol to teenagers. In five of those citations, the seller checked identification and still sold alcohol to a minor.

Since Robertson became director in 2002, he has stressed the TREE method, which stands for Training, Regulation, Education and Enforcement.

One program, called Be A Responsible Seller (BARS), is offered to owners and employees of places with liquor licenses. Established in the early 1980s, the program teaches how to spot underage and intoxicated people, how to properly check IDs and how to tactfully refuse sales and service to people who are drunk. There’s no cost for the service.

Implemented last year, the “red flag” campaign is designed to help retailers curb tobacco sales to underage customers. It prompts retailers to check for a red border around the photo on a state driver’s license every time someone request tobacco products. The campaign slogan is “If you see red, the tobacco sale is dead.”

What does it mean?

It isn’t clear whether the trend toward more compliance among retailers translates to decreased alcohol and tobacco use among youth.

Anti-tobacco advocates say that tobacco use among mountain teenagers is declining. For example, 33 percent of Buncombe County students said during the 2003-04 school year that they smoked or chewed tobacco and now 24 percent of county students use tobacco.

Tobacco use among Buncombe County middle-school students declined from 20 percent in 2003-04 to 12 percent in 2005-06, said Debbie Bryant, tobacco prevention coordinator for Buncombe County Safe and Drug Free Schools.

“A lot of convenience stores are being run by clerks who are high school students,” Bryant said. “We tell them it’s not OK to sell to underage students.”

<http://www.citizen-times.com/apps/pbcs.dll/article?AID=200661205111>



# 27. MTA member: End Alcohol Sales (New York)

[*Newsday*](https://webmail.iowa.gov/exchweb/bin/redir.asp?URL=http://www.newsday.com/news/local/longisland/ny-lilirr1207,0,5974315.story?coll=ny-top-headlines)

December 6, 2006

The Metropolitan Transportation Authority should stop serving as a bartender for commuters on its railroads, the MTA board's Suffolk County representative said Wednesday.

"I would prefer that we don't let anybody drink on the train," Mitchell Pally said during an MTA board committee meeting. "If we're not ready to go that far ... the least we can do is not make it easy for people to do it, which is don't sell it."

For decades, commuters riding home after a long day at the office have been able to drink beer, wine or liquor on the LIRR or Metro-North. The MTA sells alcoholic beverages on some station platforms and on some trains.

LIRR officials said the railroad reaps a net profit of about $350,000 a year from selling alcoholic beverages to commuters.

Profits from alcohol sales on Metro-North were not immediately available Wednesday.

LIRR riders can buy alcoholic beverages from up to 12 bar carts on platforms at Penn Station and at the Flatbush Avenue and Jamaica stations between 4 and 8 p.m. weekdays, said spokeswoman Susan McGowan.

[http://www.newsday.com/news/local/longisland/ny-lilirr1207,0,5974315.story?coll=ny-top-headlines](http://www.newsday.com/news/local/longisland/ny-lilirr1207%2C0%2C5974315.story?coll=ny-top-headlines)



**28. BART board Reverses Alcohol ad Policy (California)**

By Kiley Russell
*CONTRA COSTA TIMES*

Facing the hue and cry of anti-alcohol abuse groups from around the Bay Area, BART today abandoned a month-old policy allowing booze ads on the public transit system.

After a lengthy debate, the board voted 7 to 2 to reverse itself, scrapping a policy that allowed 17 percent of all advertisements in the BART system to hock beer, wine and spirits.

"I would like to thank the audience for their passion on this issue," said Director Gail Murray.

Murray, who represents parts of Contra Costa County, voted against the policy last month when it originally came before the board. She placed it on the agenda for reconsideration after being asked by the Marin Institute, a nonprofit group that bills itself as an alcohol industry watchdog.

The institute convinced the boards of supervisors of San Francisco and Contra Costa counties to write letters asking that the BART board revoke the policy. It also started an Internet-based letter writing campaign and galvanized opposition from community groups, many of which sent activists to Thursday's meeting in Oakland.

The alcohol advertisements would have added an extra $400,000 to $500,000 a year to BART's roughly $3 million ad revenue.

But anti-alcohol abuse and other groups complained that alcohol ads are already present in movies, television shows, video games, billboards and other media that young people see.

Allowing booze pitches on BART, they argued, would only contribute to the pervasive problem of alcohol abuse among the young.

"Is it really worth it?" asked Naomi Williams, a member of the Richmond-based West County Alcohol Policy Working Group. "We believe this is a poor fit, not a profit for BART."



**29. Texas Craft Breweries Launch Campaign to Allow Direct-To-Consumer Sales (Texas)**

December 7, 2006

HOUSTON, TX -

A coalition of Texas craft breweries and beer lovers, Friends of Texas Microbreweries, today launched a campaign to allow small Texas breweries to sell directly to patrons. Currently, the Texas Alcohol and Beverage Code requires microbreweries to sell only to distributors and retailers, which puts Texas craft breweries at a disadvantage to those in other states where sales direct to customers are allowed.

"We can no longer ignore the fact that 14 out of 19 microbreweries have failed in Texas in part because current regulations disadvantage microbrewing small businesses," said Saint Arnold founder Brock Wagner. "This common-sense proposal will allow Texas microbrewers to compete with out-of-state microbrewers on a level playing field."

In 2003, Texas voters overwhelmingly approved Proposition 11, which changed the Texas Alcohol and Beverage Code to allow Texas wineries to sell limited quantities of their beverages directly to patrons. Friends of Texas Microbreweries is proposing a similar change for microbreweries, which would allow on-premise sales of no more than 5,000 barrels of ale and malt liquor annually.

"It has been three years since Texas voters clearly signaled they support common sense beverage laws," said Fritz Rahr, founder of Rahr & Sons Brewing Company in Fort Worth. "It's time Texas craft brewers offered the same customer-friendly advantages that Texas wineries already have."

In keeping with the trailblazing spirit of the Texas craft brewing industry, Friends of Texas Microbreweries is anticipating an unconventional campaign. Along with the traditional elements of legislative outreach, the coalition plans to utilize trendy technologies to help it reach and mobilize grassroots opinion-leaders. For instance, Saint Arnold Brewing has launched a blog at [http://www.starnoldgoestoaustin.com/blog](https://webmail.iowa.gov/exchweb/bin/redir.asp?URL=http://www.starnoldgoestoaustin.com/blog) and also plans outreach to other bloggers throughout Texas.

