

|  |  |
| --- | --- |
| *www.IowaABD.com* | *Lynn M. Walding, Administrator* |

|  |  |
| --- | --- |
| abdblue.jpg - 2723 Bytes |  e - NEWS |
| *May 25, 2007* |

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

[Wine Counterfeiting Costing Consumers Thousands](#One)

[Pernod Ricard Uncorks plans for Absolut power in Sweden](#Three)

[Sweet on Vodka](#Four)

[Positioning: A-B Heats Up Cold War Against Coors, Miller](#Sixteen)

[Diageo Moves to Stifle Counterfeiting of its Product](#Twentyone)

[Get the Service your Bottle Deserves](#TwentyThree)

[SABMiller Profit Climbs 15%](#TwentySix)

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

[Tax Stirs Cigarette Thieves, some Fear](#Eight)

[Woman Charged with Assault, Intoxication](#Nine)

[New Tobacco Tax Stirs Fears of Black Market](#Thirteen)

[Council Broadens Tobacco ban at Parks](#TwentyTwo)

[Guilty Plea Entered in Deaths of UI Students](#TwentyFive)

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

[Breathalyzer leads to Student Discipline at Mission Hills High (California)](#Eighteen)

[Breathalyzers in Bars? (Illinois)](#Fourteen)

[Law Restricts Shipping Wine Into State (Massachusetts)](#Ten)

[Costco Gives up Fight to sell Liquor (Michigan)](#Six)

[Minn. Lawmaker Arrested on DWI Charge (Minnesota)](#TwentyFour)

[Proposed Minnesota Bill Would Legalize the Selling of Wine in Grocery Stores (Minnesota)](#Seventeen)

[Ital. Bistro sells Liquor License for $1.5 Million (New Jersey)](#Seven)

[No Alcohol at Ohio State Fair (Ohio)](#Eleven)

[3 Western Pa. Communities lift 'dry Town' Designation (Pennsylvania)](#Fifteen)

[Truck Drivers face Charges for Allegedly Stealing Liquor (Rhode Island)](#Five)

[Mandatory Blood Tests Praised (South Dakota)](#Twenty)

[Texas Abolishes Residency Law (Texas)](#Two)

[Washington Governor Signs Budget Expanding Sunday Sales of Liquor and Eliminating Spirits Surcharge (Washington)](#Twelve)

[Driver over Legal Blood-Alcohol Limit is let go, Later dies in Crash (Wisconsin)](#Nineteen)

**[I. NATIONAL NEWS.](#I)****Wine Counterfeiting Costing Consumers Thousands**

Pallas Hupé
*CBS – Sacramento*
May 16, 2007

California wines are now world-renowned with bottles selling for hundreds -- even thousands of dollars. And criminals are catching-on and cashing in by counterfeiting.

It's a scam that's growing to the point it's caught the attention of Hollywood.

"The reason Alec Green threw a $650 bottle of wine to the ground is because he knew it wasn't worth $650," said

"It's the most common wine scam. You take a cheap bottle of wine with the right shape, steam the label off. You slap on an expensive label and you're done."

Ian Smith is owner of Sacramento wine bar 58 Degrees & Holding.

"It's a major issue for the wineries as well because they want their wines to be well represented and want people to have a good experience with it," said Smith.

The wrong wine in the right bottle could mean a tarnished reputation and a loss of future sales.

"There's always been little scams in the wine industry," said Sammy Hagar.

To his fans, Rockstar Sammy Hagar is known more for his music and his own brand of tequila. But Sammy's been collecting wine for more than 30 years.

"I have about 10,000 and it's all good stuff," said Sammy.

He's also got a special case for taking some of his favorite California wines with him on tour.

Sammy says he came close to being scammed when he recently bought what he thought was a case of '59 Margot.

"They had broken down some big formats at the chateau, supposedly, rebottled them in and put new labels, new corks, new everything, but those weren't original bottles," said Sammy.

Sacramento attorney Jeb Burton recently bought some expensive wine to impress a friend.

"I absolutely expected something much better. Uh, it was disappointing," said Burton.

"I bought a half a case of it, and they were all counterfeit. It was Bordeau Lafite Rothschild from about 15 years ago, and that really hurt. It was a lot," said Burton.

Auctions are favorite places to peddle fraudulent wine. But it's unknown how often they slip through.

Some wineries are taking matters into their own hands and are fighting back against fraud.

In Napa is the first cult-status winery fighting potential fakes.

Using micro-technology developed by Kodak -- the same kind used to identify pharmaceutical drugs. Some are resorting to electronics -- radio-frequency I.D. chips implanted right into the corks and barrels. Their movements can be tracked every step of the way from the winery to the glass, ensuring authenticity.

But some wineries are leaving the electronics behind and sticking with paper but not ordinary paper.

Since 1990, Harlan Estates has been using labels made from bond paper, the same kind stock certificates bonds and postage is made from.

And when a "B" magically appears -- it's bond and the real deal.

But try getting a winery to talk about it all on camera and you only get sour grapes.

"It's not been in their best interest to find out who where these counterfeit wines are coming from because it overall decreases the value of the wines, so they havent focused on it," said Burton.

But they're starting to. After all it's a scam that's hard to quantify. Some people never know they've been taken and if they do, it's usually too late.

A collector on the east coast recently bought five bottles of extremely rare wine for more than $500,000. Four of them were claimed to be once owned by Thomas Jefferson and discovered in a walled-up cellar in Paris. It turns out they never belonged to the president. The collector's filed a lawsuit.

<http://cbs13.com/topstories/local_story_137005055.html>

**Pernod Ricard Uncorks plans for Absolut power in Sweden**

William Lyons
*The Scotsman*May 19, 2007

Pernod Ricard has emerged as front-runner to snap up Sweden's Absolut vodka brand as it bids to bolster its white spirit portfolio.

The Swedish government has announced plans to sell Absolut's parent company Vin & Sprit as part of its wider privatisation of national industries.

Sources close to the company say executives from the world's second biggest spirits group, which owns Beefeater gin and Chivas Regal, have visited Sweden to promote their case for ownership.

"A team has just returned from a visit to the town in the south of the country where Absolut is made," said one source. "We met the local unions, local newspaper and local authorities to put our case across that we are very interested in buying the brand. We wanted to explain that when we buy a brand we let the local management run it."

Both Pernod Ricard and Bacardi have formally written to the Swedish government outlining their interest. An announcement is due at the end of next month.

Analysts have put a value of £3bn on Vin & Sprit, but a spokesman for Pernod said it was too early to say without looking at the books.

Smirnoff is the world leader with 5% of the vodka market, followed by Nemiroff, a Ukrainian standard vodka with 2.3%. Absolut takes third place with 2%.

Pernod's Scotch whisky arm, Chivas Brothers, has launched an extensive campaign to promote its entire Ballantine's Scotch whisky range internationally.

Chief executive Christian Porta said that the group is investing ?40m in the global positioning of its Ballantine's range and aims to take the outright number two volume position in the world Scotch whisky league.

<http://business.scotsman.com/agriculture.cfm?id=781442007>

**Sweet on Vodka**
**Businessman hopes sugar cane drink will win over young adults**

Margarita Bauza
*Detroit Free Press*
May 21, 2007

St. Clair Shores businessman Joe Belli is looking to capitalize on the trend of mixing vodka with energy drinks that has overtaken the country's bars that cater to young, hip patrons.

He's trying to do it with Jaguar Vodka, a new product not seen before in the United States -- vodka made from sugar cane.

So ... wouldn't that be called rum? Not quite.

Jaguar Vodka, which is distilled in Barbados, is run through a process that removes as much of the sugar cane flavor as possible, Belli said.

Rum, made from sugar cane by-products like molasses, is the more flavorful of the two liquors. Aged in barrels, it has added spices and flavors.

So, why buy Jaguar Vodka over a premium vodka such as Grey Goose, a French wheat vodka, or Chopin, made from Polish potatoes?

"It's much smoother," Belli said. "It doesn't burn as much on the way down."

In addition, Belli says, proceeds from vodka sales are sent to landowners in the Yucatan Peninsula to keep them from developing land where jaguars live.

Belli couldn't provide much information as to how that program operates, but the labels on the bottles promise that consuming the liquor will save the endangered Central American jaguars.

Trying to sell faster

Belli is using a new approach in distributing his liquor.

Vodka is typically sold by distributors that carry only liquor, but Belli applied for a license from the state to allow beer distributors to carry Jaguar Vodka, which sells for $30 for a 750 milliliter bottle.

He says he believes that beer sells faster than liquor. A beer sales force would have much more contact with liquor stores, restaurants and businesses than a liquor distributor, and, potentially, that would help drive up sales.

"Our call frequency is very high compared to distributors who just represent liquor," said Greg Hillman, marketing manager for Petitpren Inc., a beer distributor in Clinton Township that carries Anheuser-Busch products. Hillman is one area distributor carrying Jaguar Vodka.

"Liquor companies see customers every two weeks," Hillman said. "We talk to beer customers a lot more. That's why they like the idea of going with a beer wholesaler."

Belli said he was approached by a friend and given the opportunity to carry the vodka several months ago.

Vodka has been popularized by energy drinks. When they're mixed, they create a powerful concoction that gives drinkers a buzz but keeps them awake. It's the choice of young people out for a good time.

To capitalize on the vodka craze, liquor makers have come out with potato and grape vodkas (not flavored). Rapper Jay-Z just launched his own vodka, called Armadale.

Belli is betting that a premium sugar cane product will sell. He's traveling the country and the state selling his product.

Across the country, 49 distributors in 12 states from California to Connecticut have signed up.

Twelve distributors in Michigan will carry it starting June 2.

Jennifer Stark, who owns the Living Room, a martini bar in Berkley, said vodka is her top-selling product.

She just introduced Jay-Z's new vodka and said it's selling well. The Polish vodka Chopin is the bar's best seller.

Stark says she would be leery of carrying Jaguar until she read some credible reviews.

"When we carry a new product, it's because we read about it in the New York Times or in Slate. We pay attention to taste tests from significant publications."

She added that she'd also be a bit uncomfortable about buying from a beer distributor, even though she sees them much more often than liquor salesmen.

"I hear beer distributor and I think cheap-flavored liquor drinks, not premium vodka," she said.

<http://www.freep.com/apps/pbcs.dll/article?AID=/20070521/BUSINESS06/705210382/1019>

**Positioning: A-B Heats Up Cold War Against Coors, Miller**
**Bud Light rolls into summer with 'Flippin' Cold' campaign.**

Mike Beirne
*Brand Week*
May 21, 2007

A big chill is moving into the summer beer market as Anheuser-Busch readies "It's Flippin' Cold," an integrated, multimedia initiative.

One element of the campaign breaking this week will call out aluminum bottles of Bud Light served from the Chill Chamber, a refrigerator that can cool brew to as low as 22°F without freezing. At that temperature, a 16-oz. bottle stays colder an average of 17 minutes longer than a bottle pulled from conventional coolers. Cannonball, St. Louis, leads the print, radio, outdoor and Internet effort, which runs through July.

"This is a different way to communicate a cold message in a unique touch point," observed Ned Flanagan, svp-marketing at The Marketing Store, Chicago. "They're not just doing it through advertising."

The strategy intends to deliver an immediate benefit—coldness—amid a drinking culture in which coveted 21-28-year-old consumers increasingly are favoring mixed drinks. Brewers' share of absolute alcohol dipped in 2006 to 54.8%—its lowest level since the late 1980s—while spirits and wine have gained for five consecutive years, per the Distilled Spirits Council. Liquor's share increased 0.4% to a 31.1% of the market; wine grew 0.2% to a 14% share.

"Flippin' Cold" primarily butts heads against Coors Brewing, which has embraced a cold positioning for Coors since 2004, primarily in the off-premise retail landscape through packaging innovations.

"The world's most refreshing beer" campaign, via Draftfcb, Chicago, currently flags the Coors Lite Cold Activated Bottle. Thermochromatic ink on the label turns blue, signaling that the beer inside has reached optimal drinking temperature. The Golden, Colo., brewer outperformed A-B and Miller last year, with Coors Light shipments increasing 1.5% and posting single-digit growth during the first quarter, per Beer Marketer's Insights.

Although Coors is introducing a sub-freezing tap system that can pour beer at a temperature just below freezing, it hasn't staked out the cold positioning in the on-premise market. So A-B is striking where Coors Cold has been absent. It's also launching "Flippin' Cold" as Miller Brewing is poised to unleash more comparative advertising after selecting Bartle Bogle Hegarty, New York, as its new ad agency.

A-B introduced aluminum bottles for its Bud Light, Budweiser and Michelob family two years ago. Last year A-B partnered with Hussman, a unit of Ingersoll Rand, to develop a cooler that chills aluminum and plastic (PET) bottles. Retailers are advised not to stock the cooler with glass bottles or other brands because those products could freeze or burst.

"I love the aluminum bottles," said a Midwest A-B wholesaler, whose biggest rival brand is Miller Lite. "They're out and about and everybody has them. They give us another point of differentiation against Miller, and the cooler will help us stand out even more."

The campaign will hit stores in bottles with POP touting: "Bud Light. Always cold, always refreshing, always worth it."

Although Anheuser-Busch has lost overall market share, Bud Light is kicking with single-digit growth in Q1 following a 4% gain in 2006. Miller Lite increased just 0.5% for the six months ended in March, per the company, and was down 0.6% last year, per Beer Marketer's Insights.

First-quarter 2007 media spending was $56 million for Bud Light, $23 million for Coors Light and $29 million for Miller Lite, per Nielsen Monitor-Plus.

<http://www.brandweek.com/bw/magazine/current/article_display.jsp?vnu_content_id=1003587832>

**Diageo Moves to Stifle Counterfeiting of its Product**
**Organized Crime, Terrorists, Dishonest Retailers Involved in Fakes**

*Beverage News Daily*May 22, 2007

As international trade barriers have fallen, counterfeiting has become a much more serious threat to all tiers of the beverage alcohol business, Barry Becton, of Diageo told the National Alcoholic Beverage Control Association’s annual meeting last week. In 50 countries, it’s a serious threat, he added.

Counterfeiting dupes consumers, he said. “Consumers think they are buying reputable brands, but when they buy counterfeit goods they are buying poor quality spirits that could be a health threat,” he explained.

Counterfeit bev/al isn’t just a threat to consumers, but also to suppliers. “Premium brands rely on their reputation for consistency and quality” to build and maintain sales, Becton explained. If consumers decide that Johnnie Walker Black isn’t, well, Johnnie Walker Black, down goes the brand’s reputation and sales.

**FDA Doesn’t Protect Consumers or Business**

And if you think the Food & Drug Administration will protect you, think again. We flew back into Washington to be greeted by Sunday’s Washington Post leading the paper with “Tainted Chinese Imports Common.” The story explains that FDA inspectors have turned back dried apples preserved with a cancer-causing chemical, frozen catfish laden with banned antibiotics, and mushrooms laced with illegal pesticides. These, the Post explained, were among 107 food imports from China the FDA detained last month.

For years, the Post said, FDA inspectors have simply returned to China the small portion of these unsafe products they caught – “many of which turned up at U.S. borders again, making a second or third attempt at entry.”

A few months ago, Robert J. Maxwell, retired president of National Association of Beverage Importers told us grey market imports of alcohol beverages were a growing problem in the U.S. We asked Alcohol & Tobacco Tax & Trade Bureau about Maxwell’s claim, and TTB said it hadn’t noticed an increase in reports of grey market imports.

**Counterfeits Can Cause Blindness, Death**

Regardless, Diageo is moving to detect attempts to counterfeit its products. And with good reason: Counterfeiting alcohol beverages is a major business in more than 50 countries around the world. Now, thanks to lowered trade barriers, it’s as easy to fly those fake goods into the U.S. or other countries as it is to sell them in counterfeiting havens.

It’s not just a business issue, George Salasidis, Diageo’s man in charge of preventing counterfeiting world wide, said. “Counterfeiting is a global threat, with organized crime and terrorist groups being actively involved,” he said.

A video Salasidis showed declared that “illegal counterfeits are often contaminated, and can cause blindness, even death.”

In the U.S., Becton said, it’s far more common for retailers to substitute cheap products for a major brand. Often this is done by simply refilling a bottle of, say, Johnnie Walker Black with a lower-price and lower quality product.

**7% to 9% of World Trade is Fake Goods**

How serious is counterfeiting? Salasidis said the Organization for Economic Cooperation & Development estimates the trade in counterfeit goods at 7% to 9% of the overall world trade. “It used to be only handbags, clothes, etc.,” he said. “Now counterfeiters do cigarettes, toothpaste, shampoo, kerosene” and other products, including beverage alcohol.”

Most companies, he said, look upon counterfeiting as an enforcement issue or bring in the lawyers. “At Diageo, we have a different attitude. We’re going after the bad guys. Our motto is ‘Defend, Protect and Pursue’.”

**Diageo Develops ‘Instant Authenticator’**

Diageo has developed a device that provides instant chemical authentication of spirits. Many companies rely upon packaging to assure consumers they are getting the real thing. But “in Venezuela, they copied out packaging in less than a week,” he said.

Counterfeiting alcohol beverages was “a double-digit problem” in Taiwan, where the legal framework is weak, he said. Diageo sought to train the police and to tell consumers about the features in its packaging. The most important move was to provide police the “instant authenticator. Now counterfeiting has been reduced to less than 3% of all Diageo goods in Taiwan, he said.

Counterfeiting is still a problem in the UK, he said, largely involving on-trade substitution. The U.K., like most countries, has a “standards authority,” which conducts regular inspections. “In the course of their regular rounds, they ask the barkeep to pour a drink, which is then analyzed by the instant authenticator,” which can distinguish between Diageo’s brands and competitors’ “close products. They know in 30 seconds if the product is a fake, and if it’s a fake, there’s a court case, fine and sometimes prison.”

**Get the Service your Bottle Deserves**
**In a city of oenophiles, restaurants are trying to keep pace. But don't let the list outshine the experience.**

Patrick Comiskey
*Los Angeles Times*May 23, 2007

You’ve ordered the 2003 Yangarra Estate Vineyard Old Vine Grenache, and the server brings you the 2004 — but you don't notice until he's already left the table. He's poured so much in each glass that you can't swirl it around — but ack! It's way too warm.

|  |
| --- |
| Show |
| The server should allow time to check the label. |

Is there any way to prevent such a wine nightmare?

In the last few years, Los Angeles has truly become a city of wine lovers, and restaurants have risen to the occasion with seriously interesting lists. But wine service hasn't necessarily kept pace.

There are some strategies you can use to head off bad wine service — and have a much better dining experience as a result. But first you have to know what good wine service looks like.

When you're seated and the menus are handed around, a wine list should arrive too. Most sensitive servers and hosts will place it in a neutral position on the table (some tent it in the middle, which can result in a bit of "capture the flag" activity). Others will read the table and target the person who seems to be seeking out the list. Still others will simply ask who would like to make the wine selection — that's probably the most diplomatic.

But you're entitled to as many wine lists as you'd like, and should ask for more if you need them.

If the restaurant has a sommelier, he should find his way to the table shortly after the server has made the first greeting to offer his services.

**Who's in the know**

If a restaurant does employ a sommelier, chances are good that appropriate service will follow. But many restaurants — even those that do take wine seriously — don't have a sommelier. Nevertheless, there is probably someone on hand who knows the wine list — it could be a wine director or a manager who put together the list. As you look over the wines, it makes sense to involve someone knowledgeable from the staff. If you show your seriousness by asking for expertise, chance are the restaurant will take extra care with your wine service.

In some cases, your server may be a go-to person. Ask if he knows the list pretty well. If he says no, insist on seeing someone who does. If he says yes, ask some specific questions. You might choose two wines you're considering and ask how they're drinking. Then listen.

Does he seem knowledgeable and confident in describing them? Or does he seem as though he's making it up as he goes along?

If you're uncertain, watch him like a hawk; even if you don't have someone with polished skills, you might be able to guide him ever so gently into the kind of service you want.

|  |
| --- |
| Cork |
| Some sommeliers prefer not to present it at table. |

Once you've made your selection, while the wine is being dispatched, examine the glasses on the table. Most fine restaurants these days pay close attention to stemware and use glasses from European crystal suppliers such as Riedel, Schott Zwiesel and Spiegelau. These are generally lighter, thinner, larger and more balanced than the dinky old clunky standbys. At this point in history, if you find yourself in a restaurant with undersized, thick and graceless glasses, it's a pretty good indication that wine is not a priority.

Occasionally restaurants will offer a better glass for the pricier bottles on their list, or for those diners who care about the wine. Look around at the other tables and see what they're drinking from. Don't be afraid to ask for an upgrade — you're paying for the experience, you should make the most of it.

Now give the empty glass a sniff to be sure it has no smell. If it smells like detergent, ask for a new glass.

The server returns to present the bottle — to you, the person who ordered it, not anyone else (you're the one who knows what you ordered). If the server presents it to someone else (say, to a man at the table, when it's a woman who ordered it), this is the moment to politely and firmly insist on what's correct. This is no mere ceremony; countless mistakes are made at this juncture, so double-check the winery, the appellation, the vineyard and especially the vintage. Occasionally a sommelier will point to each of these things on the label. To me it's a good sign; I know I'm in competent hands and the sommelier is taking care of me.

The server then takes out his wine key and cuts the foil, uncorks the wine and deposits the cork, dry-side down, for you to inspect.

If you're dealing with a sommelier or the manager who put the list together, this is the perfect moment to ask a few questions — how did he discover this wine? What can he share about the winemaker or the place the grapes were grown? Most sommeliers, as authors of their wine lists, are proud of their wines; if you express interest in their efforts and focus, they'll become more engaged and treat your table with more attention.

Moreover, chances are good that the person before you has parlayed a degree in the humanities into a career in wine, in part because the wine field has so much history and so many stories to learn and to tell. All wines taste better with some context, and all sommeliers love telling stories.

As for the cork, there's some professional disagreement as to whether it should be presented at table. On one hand, if the wine has been spoiled, poorly stored or is "corked" (tainted with the chemical compound TCA), the evidence turns up here first, so you might want to see it. But some sommeliers think that the cork is unsightly, and so has no place on the table, and that it's easier to detect corked wine by smelling the wine itself.

|  |
| --- |
| Sommelier |
| He may taste your wine away from the table. |

Now the server pours a taste: again, to the person who ordered the wine. He should pour a healthy amount — at least an ounce — something you can swirl and work and sink your nose into. Concentrate and smell, taking care to notice any off odors in the aroma.

A few trendy restaurants use stemless O glasses by Riedel (or a knockoff version). The crystal is fine, but they're difficult to swirl, and they present a bit of awkwardness during the tasting ritual: The bottom is flat, so quite a lot of wine must be poured for a taste.

If you're in a restaurant with a sommelier and you've ordered a very old wine (say a Bordeaux from the '80s or earlier) or if the wine is from the top end of the list, the sommelier will often taste the wine himself, away from the table.

Some restaurants reserve this service for very expensive wines — say, a $400 cult wine. Others care so much about what they're presenting you that they'll taste every bottle (this is the case at Cut steak house in Beverly Hills, for example; at Il Grano in West Los Angles, wine director Peter Birmingham tastes every bottle over $50). This is face-saving for the sommelier and for you: He'll know what the wine is supposed to taste like, and the preemptive tasting ensures that you're getting a bottle in good condition.

Whether or not a sommelier has already tasted and approved it, it's now your turn to taste. If the wine seems flawed or tastes funny, say so. If you're not sure, ask the server for his opinion if you're convinced by this point that he's knowledgeable; if not, ask the sommelier or manager for an opinion.

If the wine is flawed, the server should immediately remove the wine, the cork and the tainted glass from the table, and return expediently with a fresh bottle and tasting glass. (A good server will realize that time is of the essence and that delaying your gratification at this juncture is not in his interest.)

If the wine isn't flawed but it's simply not to your liking, you're not necessarily stuck with it. If the sommelier or server bears some complicity in your selecting it — if you chose it based on his effusive praise, for example — you can reasonably refuse the wine. Most sommeliers are more willing to swap out a wine to make sure your evening is successful than have you struggle with something you don't like.

**When to decant**

With certain bottles of red wine — especially older reds that are likely to have tannin deposits, such as a Brunello, Bordeaux or Cabernet, as well as these types of wines when young — good service includes decanting. If you've ordered a young red that tastes coltish and tannic and decanting is not offered, by all means ask for it. Ditto for any wine over 10 years old.

If you haven't managed yet to determine whether your server knows proper wine service, now you'll want to focus: Watch him pour. He should pour, first for ladies, only about a third of a glass. If he pours the first glass too full, thank him for his efforts and take over immediately.

But if you're not confident about how he'll handle the pour, this is a point where you can head off a faux pas. Just say something like, "That's lovely; please pour just a small amount for each person. We really want this to savor this." Or simply, "I'd love to pour this for my guests." Usually servers are more than happy to be let off the hook.

|  |
| --- |
| Breathe |
| Matt Strauss, Wilshire wine director, decants a young wine with a lot of tannins. |

Now, at long last, you have a glassful of wine. But egad — that red is unpleasantly warm. (For reds, the wine should taste fresh, but not shrill.) Cellar temperate, usually a few degrees cooler than the room, is best. Room temperature is acceptable, but anything warmer suggests the wine hasn't been properly stored, and at the very least you should request a chill down, with 10 minutes in the ice bucket. Don't be embarrassed to ask to chill a red. Any restaurant that takes wine seriously will understand such a request, and may just respond with more-attentive service.

White wines are rarely served at a temperature that's "just right" — they're often either too warm or too cold. Ideally, they should start cold and come up to temperature. If the wine isn't cold enough, it should be placed on ice after it has been tasted and a small amount poured for the table; if it's too cold, ask that it be placed directly on the table, rather than in the ice. This will help them to breathe and open too.

At some point, someone should check on how the wine is performing, whether it's an attentive server or a sommelier. It's wise to let him know how you think the wine is evolving. Not only does this keep him engaged, but it also improves his understanding of the wine. All of which adds up to the likelihood to attentive service through the rest of the meal, and on future visits too. As diners we've all been taught that no self-respecting server or sommelier would allow a glass to empty before it's refilled. As a former server and sommelier, I'm a bit more forgiving if this part of the social contract isn't upheld, especially on busy nights. And particularly because it's better than the contrary: the dreadful situation in which wine is poured almost to the brim all around, and when the bottle gets back to you — or one of your guests — there's nothing left and you're forced to order another bottle.

Refills should be discreet and modest — a good server or sommelier can read a table and recognize who's doing most of the consuming, and will pour accordingly.

When the bottle is exhausted and the glasses are low, the server should return with a wine list, or ask if you'd like a second bottle. If you select the same wine, it's appropriate to use the same glasses, but the server should always bring a fresh tasting glass.

If you do manage to get good wine service, remember that good wine knowledge, good storytelling and good flair with the bottle are worth rewarding, and returning for. And when you do return, ask for the server who treated you so well the last time, and give him the chance to lead you down yet another memorable path.

**Service savvy**

• Size up your server's wine knowledge and service skills as quickly as possible in order to head off bad wine service before it starts.

|  |
| --- |
| Refills |
| Not to the brim; one-third full is just right. |

• If you're not the only one in your party interested in wine, ask for wine lists for your guests.

• If you need help deciding on a wine, and you're unsure of your server's abilities, ask her to describe a wine or two. Does she seem confident in her wine descriptions? Can she get specific (e.g., something more than "Oh, that's very good" or "Pinot Noir is lighter than Cabernet"). If not, enlist the help of a sommelier or anyone else who knows the list. You'll get the best service by dealing with the staff person who knows and cares the most about wine.

• If there is a sommelier, get her involved. Even if you know wine and know what you want, starting a dialogue with her will draw her into your table and get her engaged with your wine experience, and that will improve your service.

• Make sure you're comfortable with the glassware. If what's offered on the table is subpar and there's a better set of stemware in the house, don't be afraid to ask for it.

• Is the white wine too cold? Ask to have it removed from the ice bucket and kept on the table for a while.

• If your red wine seems youthful and tannic, ask for a decanter. If the wine you've selected is 10 years old or older, it should be decanted as well. If the server starts pouring it without decanting, stop her and ask to have it decanted.

• Is the red wine too warm? Ask to have it iced down a bit. You won't look silly; on the contrary, any sommelier or server who knows wine will respect you and probably step up the service.

• Take an active role in monitoring how the wine is poured throughout the meal. Remind your server, if necessary, to keep the pours short and even.

• If glasses are being poured too full, take over, telling the server you'd like to pour for your guests.

[http://www.latimes.com/features/food/la-fo-wine23may23,1,894561.story?page=1&ctrack=2&cset=true&coll=la-headlines-food](http://www.latimes.com/features/food/la-fo-wine23may23%2C1%2C894561.story?page=1&ctrack=2&cset=true&coll=la-headlines-food)

**SABMiller Profit Climbs 15%**
**Strong Sales Growth Is Cited; U.S. Unit Has Higher Costs**

Michael Carolan
*Wall Street Journal*
May 18, 2007

SABMiller PLC said its net income rose 15% in its latest fiscal year, with growth in Latin America, Europe and Asia offsetting difficulties in North America amid changing consumer tastes.

The brewer of Miller Lite, Pilsner Urquell and Peroni beer said results at its U.S. Miller business were hit by rising costs for aluminum and energy, declining Miller Lite sales volume and price competition.

SABMiller's North American sales have been hurt in recent years by a 2005 price war between Miller and Anheuser-Busch Cos. Consumers also have been drinking wines and spirits as well as imported and specialist beers, instead of domestic brews. To combat the sales decline, SABMiller is introducing premium import brands in the U.S.

Net income increased to $1.65 billion in the fiscal year ended March 31 from $1.44 billion a year earlier. Revenue climbed 22% to $18.62 billion on strong organic growth in Europe, China and ![[Chart]]()India, as well as a full year of contributions from its South American operations, which the brewer acquired 18 months ago. The company didn't break out fourth-quarter figures.

"This has been another year of good growth for the group, with a particularly strong performance in the fourth quarter," Chief Executive Graham Mackay said.

For the year ahead, the brewer said it expects commodity-cost pressures to increase and it needs to rebuild its share of the premium market in South Africa after losing the contract to brew and sell Heineken NV's Amstel premium beer.

While analysts said the results beat estimates, SABMiller shares fell 1.6% to £11.67 ($23.07) each in London, amid the company's cautious comments on the outlook for commodity prices.

Analysts at J.P. Morgan said there wasn't reason for concern. "Fundamentals appear intact and organic growth is best in class," the firm said.

Mr. Mackay said in a conference call that Miller had been hurt more than its competitors by high aluminum prices. The company's rivals benefited from caps on aluminum price contracts, which Miller hadn't used.

Miller's aluminum costs rose about $100 million. Mr. Mackay said this disadvantage will lessen with time, however, as the contract price caps started to expire in December 2006 and rivals probably will pass some of the added costs on to customers through price increases.

SABMiller is the world's second-biggest brewer after Belgium-based InBev SA.

<http://online.wsj.com/services/article/SB117938385006806043-search.html?KEYWORDS=miller+&COLLECTION=wsjie/6month>

**[II. IOWA NEWS.](#II)****Tax Stirs Cigarette Thieves, some Fear
but authorities say they aren't so sure**

Meghan V. Malloy

*Des Moines Register*

May 21, 2007

Two months after Gov. Chet Culver signed a bill raising the tax on Iowa tobacco products from 36 cents to $1.36, thefts of tobacco products are prompting some fears of a black market for stolen cigarettes.

|  |
| --- |
| bilde?Site=D2&Date=20070521&Category=NEWS10&ArtNo=705210329&Ref=AR&Profile=1001&maxw=264 |
| Cigarettes occupy shelves behind a counter Wednesday at the Casey's General Store on 86th Street in Urbandale. Iowa's cigarette tax jumped from 36 cents to $1.36 per pack in March. |

"Anytime you tax an item by 278 percent increase literally overnight, you are going to create a black market on that item," said Dan McMullan, part owner of Caffrey Wholesale Inc. in Boone.

Wholesalers and truckers in Boone have been on guard after thousands of dollars worth of cigarettes disappeared from the warehouse of Boone Freight Lines on March 25, about 10 days after the tax went into effect.

Monica Pearson, office manager for the company, said someone broke in and "just helped themselves" to more than 500 cartons of cigarettes. Their estimated value was between $20,000 and $40,000, Boone County Sheriff Ronald Fehr said.

Fehr confirmed the four men charged in the case "were selling them for about $10 to $25 a carton."

With the new tax, cigarettes typically retail anywhere from $38 to $42 a carton, depending on the brand.

In Des Moines, seven incidents of robbery or theft of cigarettes have been reported to police since the $1 tax increase went into effect.

The Kum & Go at 4200 Hubbell Ave. has been hit twice for cigarettes. Kum & Go spokesman Paul Kluding declined to comment.

On April 27, someone smashed in the front door of the BP gas station at 3801 Merle Hay Road. Store clerk Joyce Chasar told police that money was left untouched in the cash register, but several packs of cigarettes were gone.

Seven incidents are hardly a crime spree. Police Sgt. Todd Dykstra said police do not believe the tax increase prompted the thefts.

"There hasn't been an increase in incidents in this specific time frame that we can see," Dykstra said. "I don't believe there's any indication of a black market ring."

Iowa House Majority Leader Kevin McCarthy said lawmakers expected somewhat of a swelling in crime when they were debating the bill.

"We suspected we'd see a short-term uptick, and that the bump would be immediate," McCarthy said.

|  |
| --- |
| bilde?Site=D2&Date=20070521&Category=NEWS10&ArtNo=705210329&Ref=V1&Profile=1001&maxw=250 |
| John Javellana grabs cigarettes for a customer Wednesday afternoon at the Casey's General Store on 86th Street in Urbandale. Since Gov. Chet Culver approved raising the tax on tobacco products by $1, several convenience stores and at least one wholesale business have experienced thefts and robberies involving cigarettes. Authorities, however, say they are not sure that the tax increase is encouraging such crimes. |

He added, "Tobacco is highly addictive and because of that, we knew some folks would engage in criminal activity."

While he considers the Boone theft to be serious, he does not think tobacco-related crimes in Iowa are "a heinous problem."

McCarthy said lawmakers want to work with police in the wake of the tax increase, reimbursing them for doing tobacco compliance checks and for cracking down on those who are "bootlegging cigarettes across the border."

Federal officials said that they have been unable to tell if other states that dramatically increased cigarette taxes have seen black markets develop.

The increased tobacco tax is still "fairly new in several states," said Michael Schmitz, an information officer for the federal Bureau of Alcohol, Tobacco and Firearms. "I'd say it's too soon to really judge or see the impact of this increase in tax."

Since the burglary, Boone Freight Lines has increased security on items such as cigarettes. Office manager Pearson declined to elaborate on what the changes were, although she said that "we're always checking to see who's out there and when."

The four men charged in the Boone Freight Lines incident did not have a sure-fire strategy to sell the stolen tobacco, authorities said.

In fact, Sgt. Kenneth Kendall of the Boone County sheriff's office said that once they realized they were being investigated, they allegedly dumped scores of cartons of the unstamped cigarettes in the Des Moines River to get rid of the evidence.

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20070521/NEWS10/705210329/1001/NEWS>

**Woman Charged with Assault, Intoxication**

*Des Moines Register*
May 21, 2007

A Des Moines woman was charged with assault on a police officer and public intoxication after police said she kneed an officer in the groin.

Heather D. Alford, 27, was arrested about 1:30 a.m. Sunday after she was found by Officer Greg Trimble in the 2300 block of Elizabeth Avenue with bloodshot eyes, slurred speech, the odor of alcohol and an "unsteady gait."

According to a police report, Trimble handcuffed Alford and placed her in a squad car when she began "yelling and screaming and lurching forward in my back seat."

Trimble reportedly told her to stop and said he would make her sit on the ground outside the car if she continued. When she did not comply, Trimble opened the car door.

"As she was exiting the car with my assistance she used her left knee to strike me in the groin," Trimble wrote.

Alford was restrained and taken to Polk County Jail, authorities said.

<http://www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20070521/NEWS/705210332/1001/NEWS>

**New Tobacco Tax Stirs Fears of Black Market**

**Lawmaker Wants Crackdown On Bootlegging**

*KCCI TV*May 21, 2007

Iowa's new tax on tobacco products has prompted fears of a black market for stolen cigarettes.

With the new $1 tax increase, cigarettes typically retail anywhere from $38 to $42 a carton, depending on the brand.

In March, days after the tax took effect, thieves broke into a warehouse in Boone and stole thousands of dollars worth of cigarettes. Monica Pearson of Boone Freight Lines said the culprits stole more than 500 cartons, worth up to $40,000.

Four people were arrested in the heist.

Iowa House Majority Leader Kevin McCarthy said lawmakers want to work with police, reimbursing them for tobacco compliance checks and for cracking down on those who are bootlegging' cigarettes across the border.

<http://www.kcci.com/news/13357868/detail.html>

**Council Broadens Tobacco ban at Parks**

*Des Moines Register*
May 23, 2007

The Urbandale City Council on Tuesday unanimously approved a policy amendment that makes all youth sporting events in the city's parks tobacco-free.

Previously, the policy prohibited smoking in areas where youths 17 or younger were participating in organized recreation. The decision Tuesday extended the ban to cover all tobacco use.

The council also extended the no-tobacco policy to the Urbandale skateboard park.

The council made the decisions at the recommendation of the city's Parks and Recreation Commission.

Earlier this month, the council rejected a commission recommendation to bar smoking at all city parks except for the Walker Johnston softball complex and the immediate area around rented shelters.

<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070523/NEWS/705230374/1001/NEWS>

**Guilty Plea Entered in Deaths of UI Students**

*Associated Press*
May 22, 2007

A western Iowa man has pleaded guilty to the deaths of two University of Iowa students killed in a wreck last year while driving home from their spring break vacation.

Rudolph Huebner, of Tabor, faces up to 20 years in prison when he is sentenced in July on two vehicular homicide charges. The 22-year-old was accused of driving drunk when he crashed into a vehicle on March 18, 2006, near Underwood, killing Mark McCloy, of Carmel, Ind., and Brooke Walton of Cedar Falls. The victims were returning from Colorado.

Pottawattamie County investigators say Huebner was driving 97

miles per hour with a blood alcohol level of .18 - more than twice the legal limit.

Huebner was additionally charged with three counts of serious

injury by vehicle, accounting for the injuries of three other University of Iowa students who were in the victims' vehicle. Those charges will be dismissed as part of a plea deal.

<http://www.kcrg.com/news/local/7638971.html>

1. **OTHER STATE NEWS.**

**Breathalyzer leads to Student Discipline at Mission Hills High (California)**

**Brenda Duran
*North County Times*
May 21, 2007**

**Hundreds of Mission Hills High students danced the night away at the school's May 12 prom -- but not all went home with happy memories.**

**District officials said Monday that "less than a handful" of students who attended the "Venetian Nights" prom at the Del Mar Fairgrounds failed a breathalyzer test at the event.**

**"I will confirm that a few students had consumed alcohol and appropriate action was taken," said Superintendent Kevin Holt.**

**Neither Holt nor Mission Hills Principal Brad Lichtman would discuss how many students were disciplined or what the discipline involved.**

**"I am not going to comment on student behavior issues," said Lichtman.**

**Breathalyzers, which use a person's breath to measure blood-alcohol concentration, are being used with increasing frequency to control drinking at school-sanctioned events.**

**Holt said it was students who either smelled like alcohol or displayed awkward behavior that were given a breathalyzer test.**

**San Marcos High School Principal Julie Mottershaw said a breathalyzer was on hand at the school's prom Saturday, but no incidents were reported.**

**Poway Unified School District has been using breathalyzers at dances for four years and the Escondido Union High School District uses oral litmus-type tests if there is suspicion that a student has been drinking, officials said Monday.**

**Ron McCowan, principal of Valley Center High School, said his district began using "Alco-sensors" at student events for the first time this year. The hand-held devices provide a digital readout of a person's blood alcohol level after he or she breathes into a plastic straw.**

**Made by Tennessee-based AlcoPro, the sensors are used mainly at large student events such as the prom and homecoming, McCowan said.**

**Students at Valley Center High have to sign contracts that detail their expected behavior before the dances and school officials contact a student's parents and sheriff's deputies if they find he or she has been drinking, McCowan said.**

**Standard punishment for a student who is intoxicated at a school event is a five-day suspension, being barred from athletic events, and the removal of privileges such as attending the next grading period's dance, he said.**

**"It was very successful for our prom this year," said McCowan, referring to the Alco-sensors.**

**Lt. Phil Brust, spokesman for the San Diego County Sheriff's Department, said Mission Hills High Resource Officer Deputy Eric Melzer brought a portable breathalyzer to the prom at the request of school officials.**

**Brust said in order for deputies to test students they have to have probable cause of a criminal violation. Therefore, the testing done at the prom was conducted by school officials.**

**"(Melzer) was there as a school resource officer, assisting the schools," said Brust. "We did not choose any of the kids (who were tested). The school did."**

**Holt said officials at Mission Hills and San Marcos high schools have administered breathalyzer tests at school events for many years with the intent of cutting down on underage drinking.**

**"It gives us an opportunity to keep kids safe," said Holt.**

**Holt said officials can administer the test because they inform parents in the student handbook distributed at the beginning of the year that students are subject to the tests if they attend any district events.**<http://www.nctimes.com/articles/2007/05/22/news/inland/3_02_025_21_07.txt>

**

Breathalyzers in Bars? (Illinois)**

***WIFR.com*May 22, 2007**

**"Thank you for using the alcohol alert instrument"**

**If Gene Robinson has his way, that sound will be heard at bars all over the Stateline.**

**"We will put these in the bar…so you can get an idea when you're out drinking, of exactly what is your limit,” said Robinson.**

**Our test subject is about 200 lbs. After two drinks with his meal in about thirty minute’s time, we put him to the test. His blood alcohol level was .04% half of what the law allows. Just two beers and a half hour later he was getting dangerously close to the legal limit. Just one more beer and he probably would be too drunk to drive.**

**"if you don’t want to take that risk you'll be able to call us and we will dispatch a vehicle to come and pick you up," said Robinson.**

**Robinson says the program doesn't just make sense for safety's sake; it could also save money for your local watering hole.**

**"You find in wrongful death suits on the bars, it’s because they have no recourse except to say we didn't know he was drunk"**

**But with a breath tester the establishment could say “we tested him, he failed and he still made the choice to drive”...Putting the liability on the guilty party, not the bar that served him.**

<http://www.wifr.com/home/headlines/7621801.html>

**

Law Restricts Shipping Wine Into State (Massachusetts)
Consumers Chafe Under Restrictive Rule**

*Boston 5*May 21, 2007

Massachusetts residents drink wine more than residents of 43 other states and some Bay Staters with a true passion for the grape like to travel to far away vineyards, taste the fruity bouquets and are inspired to ship home a case or two.

But if you're a resident of Massachusetts, nearly all out-of-state vineyards won't ask "white or red?" They'll give you a simple "no way."

NewsCenter 5's Janet Wu reported that John and Barbara Cruz are very serious about their wines and travel frequently from their Jamaica Plain home to California's vineyards.

They're frustrated by the Bay State's restrictive wine shipping law.

"They say, 'Where you from? Massachusetts?' And they say, 'Well, who do you know in Rhode Island and New Hampshire? '" John Cruz said.

The Cruz family and other wine lovers end up circumventing the Massachusetts law by having their wines shipped to friends in border states that really do allow direct shipping.

They say the commonwealth is infringing on their rights as consumers, and they're not the only ones.

Two other Massachusetts residents are plaintiffs with the Family Winemakers of California in a federal lawsuit against the Massachusetts agency that regulates liquor, the Alcoholic Beverages Control Commission.

In their lawsuit they allege the Bay State law is unconstitutional because it discriminates against out-of-state wineries in favor of instate economic interest.

On the surface this may seem like it's all about the grape. It is in fact all about the green. More than 7 million cases of domestic wines are sold here each year. It's also a revenue source out-of-state wineries would like to cultivate without going through wholesalers.

Sen. Michael Morrissey is the bad boy of the frustrated wine spectator set.

The restrictive wine statute was his brain-child after the U.S. Supreme Court ruled in 2005 that all states have to open up their borders. If Massachusetts wineries are allowed to ship out; they must allow other states to ship in.

Morrissey's law allows you to ship wine to Massachusetts only if the vineyard produces less than 30,000 gallons of wine a year, and if the winery has not done business with a Massachusetts wholesaler in the last six months.

"If 10 percent of wineries control 90 percent of business then I have to think they're already doing business in Commonwealth and there's no trouble getting wine through the distribution system," Morrissey said.

As chairman of the committee that regulates the industry, Morrissey's campaign committee gets money from both sides on the wine issue, especially the wholesalers. He doesn't apologize for keeping business and revenue in the Commonwealth.

"Our wineries are not shipping to Massachusetts. It's a cumbersome law, it's a cumbersome process and you have to fit into a very narrow structure in order to be able to be eligible to even apply," Carol Martel of the Wine Institute of California said.

The Commonwealth's restrictive law does appear to be keeping out-of-state wineries at bay. In 2006, only 12 small out-of-state wineries sought licenses to ship to Massachusetts

<http://www.thebostonchannel.com/asseenon5/13356501/detail.html>



**Costco Gives up Fight to sell Liquor (Michigan)**

Alex Lundberg
*Hometown Life*May 20, 2007

Half-gallons of whiskey won't be seen next to similar-sized bottles of Worcestershire in Costco, as the state's highest court has refused to hear the warehouse store's argument that it should be allowed to sell hard liquor.

The case of Costco Wholesale Corp. vs. city of Livonia ground to a halt last week when the Michigan Supreme Court decided not to hear the retail warehouse's case.

Mayor Jack Engebretson said the store's plans, putting liquor on racks like socks and steaks, wasn't the best approach for Livonia.

"Sale of hard liquor is best done from behind the counter rather than self-serve," he said. "It's best in small stores, under the watchful eye of owners with much more to lose if something goes wrong."

Costco Attorney Tim Stoepker said the retailer's case centered around three basic points.

"The first was that this is a denial of equal protection and second that the city didn't show they were advancing a governmental concern for health, safety or welfare," he said. "The third was that the policy isn't law, so it's not enforceable."

In markets where Costco sells liquor on open shelves, he said there's a lower violation rate than in small stores in the same area.

The mayor knows it doesn't seem fair.

"It appears to be a different standard (between the two kinds of stores)," Engebretson said. "There are other dynamics that make it justified."

Assistant City Attorney Michael Fisher said this is likely the end of the line for the retail giant because the only remaining court to petition, the U.S. Supreme Court, probably won't hear the case either.

"There were no federal issues raised by them or inherent in the case," Fisher said. "The Supreme Court gets tons of petitions every year that it disregards."

Stoepker agreed that the recent development will be the end of the line for the retailer.

The case had been working its way through the system since 2004, when a circuit court judge ruled the city was wrong to deny Costco the license.

Judge Michael Callahan ruled the city council's decision was arbitrary and there was little difference between the sale of liquor and the sale of beer and wine.

A Michigan Court of Appeals decision in 2006 swung the case back into Livonia's favor when it ruled the city had the right to deny Costco the expanded sales license.

<http://www.hometownlife.com/apps/pbcs.dll/article?AID=/20070520/NEWS10/705200407/1027>

**Minn. Lawmaker Arrested on DWI Charge (Minnesota)**

Brian Baskt
*Associated Press*
May 23, 2007

The president of the state Senate was arrested on drunken driving charges hours after gaveling the 2007 session to a close and then apparently celebrating at an inn favored by government workers.

Metzen was given a field sobriety test and was arrested. His blood-alcohol level was 0.15 percent, almost twice the legal limit of 0.08 percent. He faces two misdemeanor charges, including fourth-degree driving while impaired.

Metzen, 61, a seven-term senator from South St. Paul, told officers he had three or four drinks, Messerich said.

In a letter to Senate Majority Leader Larry Pogemiller, Metzen apologized "for my lapse in judgment." He said he had attended a celebratory gathering with his peers after leaving the Capitol and used bad judgment.

In 2004, a Twin Cities television station aired a hidden-camera report on drinking at the Capitol. At one point, the footage showed a House member and lobbyists drinking in Metzen‘s office.

<http://www.localnewswatch.com/benton/stories/index.php?action=fullnews&id=113787>



**Proposed Minnesota Bill Would Legalize the Selling of Wine in Grocery Stores (Minnesota)**

Lisa Ross
*Associated Content*
May 21, 2007

Currently, Minnesota liquor stores have a monopoly on wine sales. Liquor stores receive a small amount of profit from wine sales, compared to their profit from beer and liquor sales. So allowing grocery stores to sell wine would hardly put liquor stores at risk.

Opponents to making wine more available claim it would pose a risk to public safety, but data shows this is not true. Studies show that states allowing the sale of wine in grocery stores do not experience fewer problems with underage drinking.

Data also shows that wine consumption is not much more in states that allow wine sales in grocery stores. Wine is probably less likely to be involved in activities like binge drinking and alcohol poisoning than hard liquor or beer.

The potential for underage alcohol consumption or alcohol abuse is not the issue here; it's the denial of the free market to operate. There is no sociological value in restricting the purchase of wine, and it becomes entirely about who is and is not allowed to profit from the sales.

Limiting the sale of wine decreases competition in pricing, costing consumers over $166,000 so far this year. The health benefits of wine, along with demand from consumers for better access to wine purchases, make the current laws unnecessarily restrictive. Wine is a logical pairing with food, so its availability in grocery stores makes sense.

Additionally, loosening restrictions on wine sales will benefit farmers and our economy. The Wine with Dinner bill is supported by the Minnesota Agri-Growth Council.

The most recent move toward allowing consumers in Minnesota to purchase wine at grocery stores was on March 13, when the issue went before the House Commerce Committee.

At present , 33 states allow grocery stores to sell wine, with no threat to municipal and private liquor stores. The heavy-handed regulation of where it can be sold serves only to profit the liquor industry and hurt consumers in terms of lack of freedom and higher prices.

Allowing wine to be sold in grocery stores would increase convenience for consumers, and by allowing competition to take place it would benefit the economy. The potential to benefit consumers and businesses makes it a logical move for Minnesota.

<http://www.associatedcontent.com/article/249065/proposed_minnesota_bill_would_legalize.html>



**Ital. Bistro sells Liquor License for $1.5 Million (New Jersey)**

Lisa Grzyboski
*Courier-Post*
May 19, 2007

The owner of a popular Chapel Avenue restaurant has agreed to sell the liquor license and property to a company connected with Garden State Park, the mega-development under construction in Cherry Hill.

The Italian Bistro will transfer its license and corner property for $1.5 million to Cherry Hill Three LLC, a company wholly owned by Joseph Marino, one of the major developers behind Garden State Park.

The liquor license is for Brio Tuscan Grille, an upscale Italian cuisine restaurant with 20 sites across the nation.

"The change is not going to happen in the foreseeable future," said Alex Murland, the lawyer who represents Mario Longo, the Italian Bistro's founder and CEO. "It will remain open for the next six months if not longer."

Neither Marino, of Saddle Brook, Bergen County, nor his associates responded to messages left at their offices Thursday and Friday.

Township council passed a resolution Monday to authorize the liquor license transfer. The deal must still be approved by the state's Alcoholic Beverage Control office before the sale can be finalized, Murland said.

The sale agreement marks the third time in about a year that liquor licenses have changed hands in Cherry Hill. The previous two licenses were sold for $1.5 million apiece.

One was purchased by a company affiliated with the Cherry Hill Mall from the owner of South Beach Bar & Grill, a defunct club behind Walgreens on Grove Street. The Garden State Park developers bought the other from the owners of the former Steamers Bar & Grill on Brace Road.

Another liquor license is slated to change owners later this year. Jon Perper, who holds a license for Finnigan's, the bar/restaurant at the soon-to-close Playdrome Woodcrest bowling center he owns, has agreed to sell it. However, Perper wouldn't disclose the sale price or who is buying it because the sale isn't final.

Jeff Lucas, president of Lucas & Co. in Mount Laurel, has brokered the sales of several Cherry Hill licenses in the past two years. He said spiraling prices are linked to fierce competition between two companies with deep pockets -- Pennsylvania Real Estate Investment Trust, which owns the Cherry Hill Mall, and M&M Realty, a Piscataway-based developer involved in Garden State Park.

Both the Garden State project at Route 70 and Haddonfield Road and the evolving mall need liquor licenses to attract restaurants, which are important drivers of retail traffic, he said.

"The first thing you learn in Economics 101 is the law of supply and demand," Lucas said. "That is certainly being proven here."

The developers approached Longo about six to nine months ago to see if he was interested in selling his license, Murland said.

"In any restaurant, there's a life cycle. It was time to remodel or renovate the location," he explained. "Right when he (Longo) was about to spend the money, they approached him. He decided to take the money and spend it somewhere else."

Aside from the Italian Bistro in Cherry Hill, Longo's company includes six other restaurants, which will all remain open.

There are two Italian Bistro restaurants in Philadelphia, one in Center City and the other in the city's Northeast section. The company also has Toscana in Cherry Hill's Village Walk shopping center, Tuscan Tavern in Blackwood, Toscana Brick Oven Pizzeria in Mullica Hill, and Terra Nova in the Washington Township area, which was an Italian Bistro before it underwent renovation in 2006.

By year's end, the company could open one or two other restaurants, said Murland, noting Longo -- the originator of the Spaghetti House -- is actively looking at properties in the area.

Murland didn't know what Marino and his associates will do with the Italian Bistro property at Route 38 and Chapel Avenue once the restaurant closes.

The restaurant's employees will be transferred to the company's other restaurants, most likely Toscana in Cherry Hill or the Tuscan Tavern in Blackwood.

The township council also approved a resolution Monday to let the Garden State Park developers use one of the other liquor licenses it holds.

When Cherry Hill Two LLC, a company connected to the development project, bought the liquor license last year from Steamers, it decided not use it immediately. To transfer it out of pocket status and begin to use it, the developers needed township council's approval.

The license will be for McCormick & Schmick's Seafood Restaurant, said township spokesman Dan Keashen.

The Garden State Park developers also bought a liquor license for $790,000 in 2005 from Lena's Cafe, a vacant bar on Chapel Avenue that's being converted into a car lot for Cherry Hill Nissan.

Today, The Cheesecake Factory, a restaurant on Haddonfield Road in the Garden State Park's Towne Place section, is using the license.

<http://www.courierpostonline.com/apps/pbcs.dll/article?AID=/20070519/NEWS01/705190367/1006>

**No Alcohol at Ohio State Fair (Ohio)**

*Associated Press*
May 23, 2007

Alcohol sales will not be allowed at the Ohio State Fair, Gov. Ted Strickland announced Tuesday, striking down proposals to start some beer and wine sales.

"I made this decision with an eye toward protecting the tradition of a family friendly environment at the state fair," the Democratic governor said in a statement. "I am not convinced that any proposals I've seen would meet the standards Ohioans have come to expect of their state fair."

The Ohio Expositions Commission had been planning to review four proposals at a meeting Thursday that would have allowed some form of beer or wine sales during the 12-day event, which opens Aug. 1. Any proposal had to go through Strickland.

In a news report, six of 11 members of the commission were supportive of one or more of the proposals. They called for: a beer and wine garden, sales of Ohio beers and wines in the food pavilion, alcohol sales at concerts that aren't youth-oriented or alcohol sales at points around the fairgrounds.

Strickland's edict would not affect alcohol sales allowed at a final-day concert the fair hosts at nearby Columbus Crew soccer stadium.

<http://www.tribune-chronicle.com/News/articles.asp?articleID=18422>



**3 Western Pa. Communities lift 'dry Town' Designation (Pennsylvania)**

Paul Peirce
*Tribune-Review*May 20, 2007

Residents in three Western Pennsylvania communities will soon legally belly up to the bar for the first time in more than 50 years after voters decided last week to give last call for their designations as "dry towns."

The cocktails will be flowing at the American Legion in Claysville in Washington County, Seven Springs Mountain Resort in Saltlick, Fayette County, and Grove City, Mercer County.

"It was just time for it to be approved here. It was 1939 when town fathers decided to ban alcohol sales, but this year the community overwhelmingly voted for us," said Rick Sibert, commander of American Legion Post 639 in Claysville.

Sibert said previous attempts to permit alcohol sales always failed in the town of 700 people along the Old National Road (Route 40), nine miles west of Washington, Pa., and five miles from the West Virginia border.

Tuesday, voters overwhelmingly (129-29) moved to permit alcohol sales at only the Legion.

Votes to permit alcohol sales in Saltlick and Grove City were much closer.

In Saltlick, residents voted 348-317 to allow Seven Springs to sell alcohol on the portion of its property that sits in the township. The referendum failed in 2002 and 2003.

The Grove City measure, permitting two liquor licenses for the borough 60 miles north of Pittsburgh, was approved 802-727.

Steve Steigerwald, of Steigerwald's Kitchen and Bath on South Broad Street, organized the effort to lift Grove City's ban, which has kept commercial purveyors from dispensing liquor since Prohibition was lifted in 1933.

"No one even attempted to try to get it lifted before, although in 1995 voters approved liquor sales at our two private veterans clubs," Steigerwald said.

Steigerwald does not plan to acquire one of the public liquor permits from the state Liquor Control Board after referendum results are certified by the Mercer election board.

"Basically, I did it because we're in the middle of a $2.9 million city streetscape revitalization project and when you think of revitalization it's not just new sidewalks, bricks and mortar. I thought we should try to create a new opportunity for new businesses," Steigerwald said. "We have nine or 10 empty storefronts, and you won't be able to attract a fine dining establishment in town without a liquor license ... it's common knowledge."

"With the veterans clubs already dispensing liquor, plus a beer distributor, we were probably among the wettest dry towns in the state," Steigerwald quipped.

The town of about 8,000 residents is also home to the conservative Grove City College, with a student body of about 2,450.

College trustees took no position on the referendum. College President Richard G. Jewell wrote a letter to the local newspaper stating his personal preference that the town remain dry.

After the election, Jewell said in a statement: "This issue was debated fully and fairly in the Borough of Grove City and was a close vote, which is telling that the alcohol referendum was weighed in by many residents. In the final analysis, it is the voters who decided courses of action. And they have spoken.""

Ryan Rutt, a graduating accounting major who was packing his car Thursday to go home to Lancaster County after commencement yesterday, said he was glad to see the demise of the alcohol ban.

"It was a pain for students having to drive 20 minutes to the (Prime Outlets in Springfield) to find a nice place to eat, " Rutt said. "I don't feel slighted at all that it was approved after I graduated, but I think it will benefit the community,"

Lisa Pritchard, manager of Old Town Grove City, which is overseeing the redevelopment, said the group wants to attract a fine-dining restaurant to town that will draw some of the 5 million shoppers who annually visit the outlet stores.

"This is a great opportunity for Grove City," she said.

In Fayette County, Glenn Gales is among the few Saltlick residents who can remember a bar in the township more than 50 years ago.

"That bar was right up the road a little bit. I was never in it because I was just a boy, but whew ... it must have been pretty rough because the only people who lived around here then were coal miners," Gales said.

Gales, 67, operates G & D Market, next to the Melcroft Post Office, where residents gather to grab a cup of coffee, sandwich or supplies and gab.

He said there was not much talk this year about the referendum.

"Just a few brochures were sent out by the (Indian Head Church of God) opposing it and those sent out by the resort. I hope it helps defray our taxes like they (Seven Springs) claim," Gales said.

Residents Charmaine and Randy Miller opposed the referendum. "We already have enough drunk drivers to worry about," Charmaine Miller said.

At the Church of God, the outdoor message board still urged "Keep Our Township Dry," late last week.

"A number of people I talked to were changing their vote to yes this time because of the promise of tax revenue for schools and the fire company," said Pastor Dennis Arndt said.

Seven Springs officials contend the township could eventually receive $168,000 in real estate taxes a year if 560 homes are built over a 10-year period. Seven Springs now pays $1,633 a year to the township in property taxes. The Connellsville Area School District could receive $2.1 million, up from $21,907 a year, according to Seven Springs.

The resort has no immediate plans to erect a bar or restaurant in the area, but passage of the referendum was a prerequisite for development,,

spokesman Robert Duppstadt said.

Claysville residents Neil and Nancy Brownlee said voters approved that referendum knowing it was limited to the American Legion post.

"People here just don't want a bar popping up on every corner," Neil Brownlee said. "There won't be too much change."

Not all liquor referendums in the region won voter approval.

Voters in New Wilmington, Lawrence County, defeated a referendum 312-182. Another in Harrisville, Butler County, went down by a vote of 128-94.

<http://www.pittsburghlive.com/x/tribunereview/news/fayette/s_508574.html>



**Truck Drivers face Charges for Allegedly Stealing Liquor (Rhode Island)**

*Associated Press*
May 18, 2007

Four former truck drivers are indicted on charges they stole more than $100,000 worth of liquor they were supposed to be delivering.

Authorities say the men were drivers for West Greenwich-based Centrex Distributors.

The indictment alleges the men took cases of liquor -- including whiskey and vodka -- between August and November 2006 and then sold it, keeping the money for themselves.

The men indicted were 58-year-old Arthur Begin of Coventry; 44-year-old Antonio Custodio of East Providence; 37-year-old Assane Ndiaye of Providence; and 35-year-old James Vicca of Johnston.

The case is being investigated by the West Greenwich Police Department in conjunction with state police and the attorney general's office.

Arraignment is scheduled for June first in Kent County Superior Court.

<http://www.boston.com/news/local/rhode_island/articles/2007/05/18/truck_drivers_face_charges_for_allegedly_stealing_liquor/>

**Mandatory Blood Tests Praised (South Dakota)**

*Sioux City Journal*
May 22, 2007

Nearly a year after state law was changed to require all suspected drunken drivers to submit to blood withdrawals for alcohol-content testing, prosecutors say fewer people are fighting the charges against them.

Legislators debated the issue of mandatory blood tests for years until finally approving them in 2006, making South Dakota just the second state to pass such a law.

Prosecutors used a simple but effective argument in lobbying the Legislature: Driving while intoxicated was the only crime in which some suspects were allowed to withhold evidence.

"The best piece of evidence is the defendant's degree of intoxication, and that's the blood test," says Dave Nelson, Minnehaha County state's attorney.

Nelson and Glenn Brenner, Pennington County state's attorney, say fewer people are contesting drunken driving charges since blood tests became mandatory July 1. They say that has saved money for taxpayers who footed the bills for prosecution, court-appointed defense attorneys and public defenders, and court expenses.

The county is paying for more blood tests, but that's a small price to pay, Brenner says.

"One of the costs you cannot measure is the fact that a lot of these cases do not go to trial anymore," he says. "We're getting a lot more convictions for the crime of driving under the influence. Our streets are going to be much safer when people realize that it's a lot more difficult to get out of a DWI now."

Although the amount of alcohol in a person's bloodstream is the most important evidence in a drunken driving case, earlier state law mandated blood withdrawals only from people who had been arrested for felony DWI. Drunken driving is a misdemeanor until the third conviction.

The 2006 Legislature repealed state law that allowed drivers to refuse blood if they were stopped a first or second time for being drunk. However, those drivers lost their licenses for one year unless they pleaded guilty.

Jurors sometimes were hesitant to convict some people when there were no blood-alcohol measurements, lawmakers were told.

"An awful lot of DWIs that went to trial historically were no-test cases," Nelson says.

Forcing all suspected drunken drivers to provide blood is not without problems. The process sometimes requires several officers when a person refuses to cooperate.

"Some people are combative when they're drunk, but I haven't heard of any unintended consequences," Nelson says. "I know there was some apprehension by jail staff that it might lead to additional problems, but they're just few and far between, and they're certainly not more numerous now because of this change."

The Minnehaha County prosecutor says almost all blood from local drunken driving suspects is drawn at the jail in Sioux Falls. The jail has a contract with a hospital for medical services 20 hours a day, and trained jail personnel do blood withdrawals when hospital staffers are not available, he says.

Under a nationwide standard, drivers with at least 0.08 percent alcohol in their blood are presumed to be intoxicated. That often is referred to as the legal limit, but people can be convicted at lesser blood-alcohol levels if it can be proven they were unable to drive safely.

<http://www.siouxcityjournal.com/articles/2007/05/20/news/south_dakota/8d1707b02a78af02862572e1000fb281.txt>

****

**Texas Abolishes Residency Law (Texas)**

Wine & Spirit Daily
May 17, 2007

Texas has officially done away with its residency law which means Southern is likely to make a move. Previously, Texas law required owners of a distributorship (or 51% of the company) to live in a state for at least a year before obtaining a wholesaler license. That law is no longer applicable.

Where Glazer's and Republic National were once the main wine and spirits wholesalers in the state, it looks like they're going to have to make room for one more.

<http://www.winespiritsdaily.com/2007/05/texas-abolishes-residency-law.html>

**Washington Governor Signs Budget Expanding Sunday Sales of Liquor and Eliminating Spirits Surcharge (Washington)**

*DISCUS*
May 17, 2007

Governor Christine Gregoire yesterday signed Washington's two year operating budget, HB 1128, expanding Sunday liquor sales by an additional 29 stores and eliminating the 2003 spirits surcharge-two moves that signal Washington's effort to create a more consumer-friendly marketplace, according to the Distilled Spirits Council.

"This is a victory for Washington consumers and retailers," said Council Vice President David Wojnar, whose organization has aggressively supported legislation to expand Sunday sales across the nation. "Blue Laws-a holdover from the Prohibition era-make no sense in our 21st-century economy, as Sunday has become the second busiest shopping day of the week. We commend Governor Gregoire and the State Legislature for taking this important step forward in modernizing Washington's liquor laws."

The legislature originally passed Sunday sales in 2005, allowing the Washington Liquor Control Board to open up to 20 of the state's 161 liquor stores for spirits sales. The program was successful, generating $8.5 million in Sunday sales revenue over the previous 12 months, surpassing the Council's economic projections. That success led to the legislature's call to expand by opening an additional 29 state run stores for spirits sales on Sundays.

The budget also let the $0.42/liter spirits surcharge enacted in 2003 (renewed in 2005) expire without renewal-a move that will help reduce Washington's current burdensome excise tax rate from $21.30/gallon to $19.39/gallon. Wojnar noted that Washington will still have the highest implied excise tax rate in the country, however. By comparison, he said the average control state (state-run system) excise tax is $9.59/gallon.

"Eliminating the spirits surcharge is sound economic policy," said Wojnar, noting that more than 60 percent of the purchase price of a typical bottle of spirits in Washington already goes to taxes. "Reducing the tax burden on adult consumers, while giving them modern conveniences such as the opportunity to shop for spirits on Sundays, ultimately helps create jobs and add funds to the state treasury."

<http://www.discus.org/media/press/article.asp?NEWS_ID=434>

**Driver over Legal Blood-Alcohol Limit is let go, Later dies in Crash (Wisconsin)**

*Associated Press*
May 22, 2007

An investigation is under way in the death of a Wisconsin driver.

Authorities say 29-year-old Jason Stacey was stopped for speeding and tested over the legal limit for blood-alcohol content early Monday. The Janesville officer didn't arrest the man but prevented him from driving until a friend picked him up.

Three hours later, Stacey was driving again and was killed when his car left the road, slammed into a tree and burst into flames.

<http://www.whotv.com/Global/story.asp?S=6549243&nav=2HAB>

