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

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|  | e - NEWS |
| *August 24, 2007* | |

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

**1. Fortune Brands needs a shot of Absolut**

David Sterrett *Chicago Business*August 19, 2007

When the Swedish government moves to unload the parent of vodka giant Absolut later this year, Fortune Brands Inc. CEO Norman Wesley has said he plans to belly up to the bar with a bid.

In many ways, it's a bid he can't afford to lose - and some say he can't afford to win.

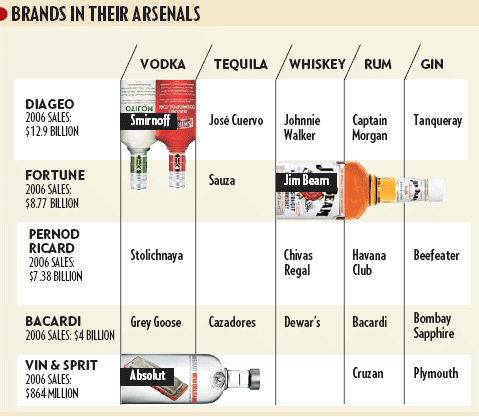
"Fortune could be damned if they do get it and damned if they don't," says Mike Gandrud, a portfolio manager for Johnson Asset Management Inc., a Wisconsin firm with about 200,000 Fortune shares. "If they don't get it, they have distribution issues. And if they have to overpay, they have bigger issues."

Deerfield-based Fortune needs a premium vodka brand in its liquor cabinet, and if a rival such as Diageo PLC, Pernod Ricard Groupe or Bacardi Ltd. wins the bidding for Absolut, Fortune will lose the U.S. distribution rights it's held for six years.

But to buy Absolut and its parent, Vin & Sprit A.B., Mr. Wesley will have to be prepared to spend as much as $5 billion, the estimated value of Vin & Sprit's stock of liquor and wine brands. Analysts say the price could reach $8 billion if a bidding war breaks out - not unlikely, given public declarations by Diageo, Pernod and Bacardi that they'll make offers, too.

And the list of suitors could include private-equity firms or a beer company such as St. Louis-based Anheuser-Busch Cos., which wants to get into the spirits business. The Swedish government, which aims to privatize several state businesses, may also consider an IPO for Vin & Sprit, though most analysts expect an outright sale to a major liquor player.

Absolut is the third-largest premium spirits brand in the world. Last year, Vin & Sprit generated sales of 9.99 billion Swedish kronor, or about $1.45 billion. Operating profits were 2.31 billion kronor, or roughly $340 million.

To finance an acquisition as large as Vin & Sprit, some analysts suggest that Fortune - a conglomerate that includes diverse brands such as Jim Beam bourbon, Moen faucets and Titleist golf balls - may have to increase its already heavy debt load and perhaps sell one of its other business units.

Fortune could get about $2 billion for its golf business and $7 billion for its home-products business, according to Ann Gilpin, an analyst with Morningstar Inc. in Chicago.

But CEO Mr. Wesley has said he prizes Fortune's varied product lineup as a buffer against market swings. And even if he were willing to sell, some observers doubt the home-products or golf divisions would fetch optimal prices at the moment.

"It doesn't make sense to sell golf or home now because this is a bleak and dark market," says Patricia Edwards, a portfolio manager in Seattle for investment firm Wentworth Hauser & Violich, a longtime Fortune shareholder. "Why would you sell something at the bottom?"

B. Craig Hutson, an analyst at Chicago-based bond research firm Gimme Credit LLC, says Fortune could use debt to buy Vin & Sprit, but "there is a reasonably good chance it could lose its investment-grade rating" if it did.

As of July 30, Fortune had $150 million in cash and $4.86 billion in long-term debt. The company is still paying down debt from its $5.25-billion purchase in 2005 of more than 25 wine and spirits brands including Sauza tequila, Maker's Mark bourbon and Courvoisier cognac from Allied Domecq.

Since that deal, liquor has become the top profit-generator for Fortune. Last year, Fortune's spirits division posted operating income of $714 million, surpassing the home and hardware unit's $695 million. Absolut, which would become Fortune's biggest brand, "complements our portfolio," a Fortune spokesman says.

In the first six months of 2007, Fortune's net income declined 16% to $352 million, on revenue of $4.3 billion. Fortune stock closed Friday at $83.00, down 7% from its 52-week high of $89.30 on Aug. 7.

Fortune's spokesman notes that rivals such as Diageo - which last year generated four times the profit of Fortune - could face antitrust issues in acquiring Absolut, since they already have strong vodka brands, something Fortune lacks.

If a rival wins the bidding for Absolut, it would have to pay a fee to Fortune to end the U.S. distribution agreement. But that would be cold comfort to Fortune, which would lose one of the largest brands in its domestic distribution network - and the economies of scale and marketing leverage that result.

Says Matt Reilly, an industry analyst with Morningstar : "Fortune can't really afford to lose Absolut. But if (it) wins, it's going to be at a huge cost."

grapes<http://www.chicagobusiness.com/cgi-bin/news.pl?id=26067&seenIt=1>  
  
  
  
  
  
  
**2.** **Drunken Driving Deaths up in 22 States**

*USA Today*  
August 20, 2007

Drunken driving fatalities increased in 22 states in 2006 and fell in 28 states, the District of Columbia and Puerto Rico, federal transportation officials said Monday.

The National Highway Traffic Safety Administration released data showing there were 13,470 deaths in 2006 involving drivers and motorcycle operators with blood alcohol levels of .08 or higher, which is the legal limit for adults throughout the country. The number was down slightly from 2005, when 13,582 people died in crashes involving legally drunk drivers.

The overall number of deaths involving drivers and motorcycle operators with any amount of alcohol in their blood was 17,602 last year. That was up from 17,590 in 2005, according to spokeswoman Heather Ann Hopkins.

"The number of people who died on the nation's roads actually fell last year," U.S. Transportation Secretary Mary Peters said at a news conference in this Washington suburb. "However the trend did not extend to alcohol-related crashes."

Transportation officials announced the new figures as they unveiled a $11 million nationwide advertising campaign as part of a Labor Day weekend campaign "Drunk Driving. Over the Limit. Under Arrest."

"This crackdown is very, very, very important because it's the penalties that are imposed when someone chooses to ignore the law that really have the ability to make changes," Peters said.

Among states, Arizona, Kansas and Texas had the greatest increases in number of drunken driving deaths last year. But Utah, Kansas and Iowa had the largest percentage increases compared with 2005. Texas had the largest actual number drunken driving deaths with a total of 1,354.

Florida, Missouri and Pennsylvania had the greatest decreases in numbers of drunken driving deaths last year, while the District of Columbia, Alaska and Delaware had the largest percentage decreases compared with 2005. The District of Columbia had the smallest actual number of drunken driving deaths with a total of 12.

grapes<http://www.usatoday.com/news/nation/2007-08-20-drunk-driving_N.htm>  
  
  
  
  
  
  
**3.** **Anheuser-Busch to Market, Distribute Borba Skin Balance Water**

Nicholas Hatcher *Dow Jones Newswires*  
August 20, 2007

Anheuser-Busch Cos. Inc. (BUD) agreed to market and distribute Borba Skin Balance Water worldwide.

Financial terms weren't disclosed.

Under the agreement, Anheuser-Busch wholesalers will begin distributing the beverages in select markets in November.

Borba, a Woodland Hills, Calif., skin-products company, maintains the right to sell its beverages and crystallines in select accounts and online.

grapes<http://www.marketwatch.com/news/story/anheuser-busch-market-distribute-borba-skin/story.aspx?guid=%7BC4BB60D6-896E-410B-BCF5-EB223D63B7FD%7D>  
  
  
  
  
  
  
**4.** **Secretary Peters Launches National Drunk Driving Enforcement Campaign and Encourages Judicial Branch Help**

Heather Hopkins *NHTSA*  
August 20, 2007

U.S. Transportation Secretary Mary E. Peters today launched a national drunk driving enforcement crackdown and appealed to the judicial branch to use all the tools it has available to keep drunk driving offenders off the roads. She also released national and state statistics for alcohol related fatalities in 2006 and emphasized the costs of drunk driving in America.

“We see far too many people suffer tragic injuries and loss of their loved ones as a result of drunk driving. This careless disregard for human life must stop,” Secretary Peters said.

In 2006, 13,470 fatalities occurred in crashes involving at least one driver or motorcycle operator who had a .08 or above Blood Alcohol Concentration (BAC) compared with 13,582 in 2005. Secretary Peters emphasized the critical role the judicial system plays in solving this national problem.

The media and enforcement campaign will run through Labor Day and include thousands of police agencies across the nation. Secretary Peters added that the Department is investing $11 million to support its national TV and radio campaign, “Drunk Driving. Over the Limit. Under Arrest.”

“Our message is simple. If you drive drunk you will be arrested and prosecuted. No exceptions. No excuses,” said National Highway Traffic Safety Administrator Nicole R. Nason.

Secretary Peters announced the enforcement crackdown and 2006 alcohol related fatalities, including state by state break outs during a news conference at the Arlington County Courthouse in Virginia. She was joined by Administrator Nason; International Association of Chiefs of Police (IACP) President Joseph Carter; Mothers Against Drunk Driving (MADD) President Glynn Birch; Governors Highway Safety Association (GHSA) Vice Chair Vernon F. Betkey, Jr.; and Maureen McCormick, Assistant District Attorney, Nassau County, N.Y.

On August 22, the National Highway Traffic Safety Administration will convene a meeting with representatives from the judicial system, including judges, prosecutors and parole officers, in Washington, D.C. to discuss the role of alcohol ignition interlocks in reducing drunk driving fatalities. Currently interlocks are used for 100,000 drunk driving offenders each year, or about an estimated 20 percent of those cases for which they could be prescribed. Of the 1.4 million impaired driving arrests each year, one third involve repeat offenders.

An alcohol ignition interlock device is a mechanism installed in a vehicle’s dashboard. Before the vehicle can be started, the driver must breathe into the device. If the driver’s BAC is over the legal limit, the vehicle will not start

grapes<http://www.dot.gov/affairs/nhtsa1207.htm>  
  
  
  
  
  
  
**5.** **Alcoholic Energy Drinks Slammed - Again**

*Just-Drinks.com*  
August 21, 2007

The chief legal officers from 29 US states have united to condemn alcoholic energy\_drinks.

In a letter released today (21 August), the attorneys asked the Alcohol and Tobacco Tax and Trade Bureau (TTB) to quash what it called misleading health statements being made about beverages, and to determine whether alcoholic energy drinks are classified as malt beverages.

The Attorneys General wrote: "We believe that alcoholic energy drinks constitute a serious health and safety risk for America's youth."

The products mentioned in the letter included Miller's Sparks and Sparks Plus, Anheuser-Busch's Bud Extra, and Charge Beverages' Liquid Charge and Liquid Core.

The news follows a recent Marin Institute report suggesting that the combination of stimulants and alcohol are a serious danger for young people due to ingredients such as caffeine masking the intoxicating effects of alcohol.

The report warned that the effects could lead to increased risk-taking as well as leading to higher rates of alcohol-related traffic accidents, violence, sexual assault, and suicide.

Marin Institute research and policy director and co-author of the report, Michele Simon said: "We commend the attorneys general for taking on the companies making energy drinks, as we believe they are irresponsibly marketing these drinks to youth. They boast that their products will enhance energy and alertness, but fail to warn users of the potential for misjudging one's level of intoxication."

grapes<http://www.just-drinks.com/article.aspx?ID=91292&lk=dm>  
  
  
  
  
  
  
**6.** **Anheuser-Busch Statement about Alcoholic Energy Drinks**

*KING5.com*   
August 21, 2007

Statement attributable to Francine I. Katz, Vice President, Communications and Consumer Affairs, Anheuser-Busch Companies, Inc. St. Louis, Missouri:

It is not accurate to call Bud Extra an "energy beer." In fact, the Alcohol and Tobacco Tax and Trade Bureau, which reviewed and approved the labeling of this product, prohibits such references.

Interestingly, the phrase "You can sleep when you're 30," referenced in the Attorneys General's letter, does not appear on our website-and has not been on our website for some time.

This product is simply a malt beverage that contains caffeine, and it is clearly marked as containing alcohol. In fact, this product has less caffeine than a 12-oz Starbucks coffee. But, caffeinated alcohol beverages are nothing new. For years, adults have enjoyed rum and Coke, Irish coffee and liqueurs mixed with coffee, even coffee martinis.

We are surprised at the Attorneys General's focus on comparatively lower alcohol products when two weeks ago the Centers for Disease Control and Prevention released a study indicating most youth consume hard liquor, not beer products, which may have as much as 10 times the alcohol by volume as malt beverages.

grapesThe way to fight illegal underage drinking is not to limit product choices for adults. Rather, the key is preventing youth access to alcohol. That's why our company provides training to retailers that helps them aggressively check IDs; encourages parents to set rules and consequences for their children; and supports law enforcement officials in enforcing the law.  
  
  
  
  
  
  
**7.** **Alcohol-Saturated 'fun' on Campus can be Lethal**

Robert Davis  
*USA Today*  
August 22, 2007

As students head to the nation's college campuses, relishing their new independence, criminal prosecutions in the deaths of two young men are a sober reminder of how quickly alcohol-fueled "fun" can spin out of control.

Charges were filed this month against students and administrators linked to the recent fire death of a 19-year-old sophomore at Bradley University in Peoria, Ill., and the alcohol poisoning of a

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| http://i.usatoday.net/news/_photos/2007/08/21/campus-accidentx-large.jpg |
| Danny Dahlquist, 19, died of smoke inhalation in this West Peoria, Ill., house on Aug. 12 after four friends set off Roman candles in his room while he slept. |

18-year-old freshman at Rider University in Trenton, N.J.

USA Today last year examined 620 deaths of four-year college and university students dating back to Jan. 1, 2000, and found that alcohol was often a factor in several types of student deaths, ranging from fires to pranks to falls. Freshmen, often living away from home for the first time, are disproportionately vulnerable.

"Young people often come to college with ongoing alcohol habits," says Tim McDonough of the American Council on Education, which represents college officials. Colleges "are trying to educate and enforce and break habits already in place. These issues are tough, but college institutions have been working on them for a long time."

**A prank goes tragically out of control**

In Peoria, four college students face felony arson charges in the Aug. 12 death of their friend, Sheridan "Danny" Dahlquist. Three of the students - Nicholas Mentgen, 21, Ryan Johnson, 22, and David Crady, 19 - were Dahlquist's teammates on the Bradley University soccer team. The fourth student, Daniel Cox, 20, was visiting from Illinois Central College in East Peoria.

Illinois State Attorney Kevin Lyons says that after a night of drinking, Dahlquist went to bed in a house just off campus. As a joke, prosecutors say his friends slid two Roman candles - fireworks that shoot fireballs - under the bedroom door.

While as many as 16 balls of fire, each burning about 1,500 degrees, shot into the room, Lyons says, the men ran downstairs, hoping to see their friend emerge screaming in outrage at the prank.

As they stood in front of the house, however, all they saw was the bedroom window glow orange. They were prevented by the intense heat from rescuing Dahlquist, and a girl who was with them called 911, Lyons says. By the time help arrived, Dahlquist was dead of smoke inhalation.

**Campus Safety:** [Students get firm warning on fire danger](http://www.usatoday.com/news/nation/2007-08-21-college-fires_N.htm?loc=interstitialskip)

Cox, Crady, Mentgen and Nicholas are charged with aggravated arson and possession of an explosive or incendiary device. Lyons says he "takes no delight in plucking four young men from their futures and putting them in a trial, but that is what fairness is about. . I'm in the business of holding people accountable."

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| http://images.usatoday.com/news/_photos/2007/08/21/campus-devercellyx-large.jpg |
| Rider University freshman Gary DeVercelly died in March after a night of binge drinking. |

He says he could have charged the men with felony murder because the arson resulted in death, but he chose not to because the men didn't mean to kill their friend.

Jennifer Nelson, a graduate assistant at Seton Hall University's Campus Ministry who started a fire-safety program at the New Jersey school, says students don't understand how fast flames can spread.

Students who violate Seton safety rules, such as burning a candle in a room or failing to evacuate when a fire alarm sounds, are fined $250, put on probation and forced to take the fire-safety class Nelson started with the South Orange Fire Department.

Some students roll their eyes when they arrive at the class, she says. Then she makes them read the USA TODAY stories and look at the faces on USATODAY.com of the students who have died in fires since 2000.

**Hazing death leads to indictments**

In Trenton, three Rider University students and two administrators face criminal hazing charges after the March 30 death of freshman Gary DeVercelly. A grand jury found that a traditional fraternity ritual left DeVercelly dead from alcohol poisoning.

According to a release by Mercer County Prosecutor Joseph Bocchini Jr., DeVercelly and the pledges who participated in a March 28 fraternity initiation drank several shots and, in some cases, an entire bottle of alcohol in less than an hour. Most of the pledges were too young to drink legally, he said. DeVercelly died two days later.

Anthony Campbell, 51, dean of students, and Ada Badgley, 31, director of Greek Life, face aggravated hazing charges even though the university says they were not present at the Phi Kappa Tau fraternity.

Douglas Fierberg, a Washington, D.C., attorney who specializes in hazing law and is representing the DeVercelly family, says one of the indicted students was a university employee. Adriano DiDonato, 22, also charged with hazing and named by prosecutors as the residence director/house master of Phi Kappa Tau, was paid by the university and reports to Badgley, Fierberg says.

The grand jury also indicted the fraternity's pledge master, Dominic Olsen, 21, and its president Michael Tourney, 21.

Campbell and Badgley are on paid leave from the university, which formed a task force to look at alcohol issues on campus. McDonough says that many other colleges are reviewing safety measures. "Whenever there is an incident, no matter how small, they go back and revisit what they are doing," he says. "People are dedicated to keeping these campuses safe and healthy learning environments."

Jeffrey Parsons, a professor of psychology at New York's Hunter College who focuses on drug and alcohol addiction, says some students go wild and act crazy as they enjoy freedoms allowed by parents and universities, who are pointing fingers at each other.

Parents assume the colleges are enforcing drinking rules, he says, while school officials assume that parents have taught their children to behave responsibly.

Students feel free to take huge risks, he says. "They're not in an environment where somebody is patrolling their behavior."

grapes<http://www.usatoday.com/news/nation/2007-08-21-campus-safety_N.htm>  
  
  
  
  
  
  
**8.** **Devices Aim to Stop Drunken Drivers**  
**Automakers Are Developing Ignition-Interlock Systems That Could Help Keep Drunken Drivers Off The Road**

*CBS Evening News*  
August 22, 2007

If friends don't let friends drive drunk, there's one car that's a driver's best friend. It's equipped with a breathalyzer linked to the ignition, and it won't start if the driver is intoxicated.

"Interlock devices are up to 90 percent effective in reducing repeat offenses. This really can stop repeat offenders from continuing to drink and drive," says MADD CEO Chuck Hurley.

Now mandatory for repeat offenders in 19 states, ignition interlocks, as they're called, have been installed in about 100,000 cars. But that number is tiny compared to the 1.4 million drunken driving arrests made in the United States each year, reports CBS News transportation and consumer safety correspondent Nancy Cordes.

"We see them as a benefit — a technology that's being underutilized," says Nicole Nason of the National Highway Traffic Safety Administration.

But maybe not for long: At least four major automakers are working on their own versions.

Saab's AlcoKey, a key and breathalyzer in one, is already in field trials.

In Nissan's concept, sensors in the gearshift and seats would pick up alcohol in perspiration, whole a camera mounted on the instrument panel would detect drowsiness.

"They just touch or their regular breathing activates these systems, and they're able to warn them about their alcohol level," explains Bob Yakushi, Nissan's director of product safety.

It's still a good five years from reality.

For now, Steve Carter is using an interlock which he had installed after his third DUI.

"I'm not invincible, and if I continue behaving in this manner and drinking in this manner, it's going to kill me," he said.

While critics argue the technology isn't foolproof, highway safety advocates say otherwise.

"They're not that easy to defeat, but there's a perception out there that they are," Nason says. "They may have been in the beginning."

The devices have a track record, she says, for stopping would-be drunken drivers cold.

grapes<http://www.cbsnews.com/stories/2007/08/22/eveningnews/main3195683.shtml>  
  
  
  
  
  
  
**9.** **AGs ask for Federal Probe into Alcohol Advertising**  
**Officials from Maine and other states object to the touting of caffeine in beer.**

Elbert Aull  
*Portland Press Herald*   
August 21, 2007

Federal regulators should investigate companies that advertise caffeinated beer with slogans such as "You can sleep when you're 30," attorneys general from Maine and more than two dozen other states said Monday.

Maine Attorney General Steven Rowe claims advertisers who tout the beverages as stimulants akin to popular energy drinks such as Red Bull are violating federal alcohol laws.

Rowe and his counterparts outlined their complaints in a letter to the federal Alcohol and Tobacco Tax and Trade Bureau, which oversees advertising for beer, wine and spirits.

The letter named four products and three manufacturers suspected of flouting the rules, but called for a broader investigation of the advertising campaigns that promote caffeinated alcoholic drinks.

"We think this isn't on their radar screen, so we're asking them to put it on their radar screen," said Jessica Maurer, an assistant attorney general in Maine.

The letter is the latest in an ongoing fight over a type of alcoholic beverage that came on the market at the height of the Red Bull craze, the heavily caffeinated, non-alcoholic energy drink that has been a hit with young people.

Some advocacy groups claim the alcoholic drinks are marketed to teenagers because they piggyback on the popularity of non-alcoholic energy drinks and are sometimes sold in similar packaging. They also claim the drinks contain a potentially dangerous mix of alcohol and caffeine that has not been adequately studied.

In 2005, federal regulators prohibited advertisements that implied the caffeinated alcoholic drinks were stimulants, or that the additives somehow offset the effects of alcohol. Companies cited for violating the restrictions are subject to fines and license revocations.

Attorneys general from 28 states, Guam and the District of Columbia signed Monday's letter.

They claim campaigns for the caffeinated drinks Sparks, Bud Extra, Liquid Charge, and Liquid Core violate federal advertising regulations. The states took exception to promotional phrases such as "Powered by Sparks" and another that labeled Liquid Charge as "A new power source for the 21st century."

The beermaker Anheuser-Busch, which produces Bud Extra -- criticized in the letter for its use of the promotional phrase "You can sleep when you're 30" -- claimed it does not promote the brew as an "energy beer."

"This product is simply a malt beverage that contains caffeine less caffeine than a 12-ounce Starbucks coffee," said Francine Katz, a company spokeswoman.

Katz noted that mixing alcohol and caffeine is nothing new -- think rum and Coke -- and argued that concerns about marketing to minors are wrong-headed.

"The way to fight illegal underage drinking is not to limit product choices for adults. Rather, the key is preventing youth access to alcohol," she said in an e-mail.

Miller Brewing Co., the maker of Sparks, and Charge Beverages, which produces Liquid Charge and Liquid Core, did not return calls seeking comment.

The Marin Institute, a California-based alcohol industry watchdog critical of the marketing and heath effects of the drinks, hailed the letter as progress.

Spokesman Michael Scippa said he hopes the letter pressures industry leaders to better self-regulate their advertising.

The few after-the-fact fines levied under the current advertising regulations have proven ineffective, Scippa said.

"By the time those mechanisms come into play, if at all, those ads have already created impressions on tens of millions," he said.

<http://pressherald.mainetoday.com/story.php?id=128761&ac=PHnws>  
  
  
  
**II.** [**IOWA NEWS.**](#II)

**10. State Troopers to Target Drunk Drivers**

Pat Curtis  
*Radio Iowa*  
August 18, 2007

 Law enforcement officers plan to be busy as the last holiday of the summer approaches. Iowa State Patrol Colonel Robert Garrison says there are additional troopers on the roads now and the increased presence will continue through the Labor Day weekend. He says the main focus will be on drunk drivers.

Iowa ranks second in the nation, behind Utah, for the lowest percentage of fatal crashes that involve alcohol. "But that still added up to 101 people dying last year on Iowa highways because of alcohol related crashes," Garrison says.

The state patrol will pay special attention to certain areas of Iowa and use a variety of tools to catch motorists disobeying traffic laws. "We'll watch the vacation spots, the places you'd see lots of tourists," Garrison says, "and of course, we'll have our aircraft up over the weekends. We'll keep them busy to monitor the speeds from up there."

Garrison says, overall, there have been about 20 more traffic fatalities in Iowa this year - compared to this time in 2006.

grapes<http://www.radioiowa.com/gestalt/go.cfm?objectid=754C33BC-D13A-67D3-ADC4AE1ED4E2C727>  
  
  
  
  
  
  
**11.** **Iowa Drunken Driving Deaths up 30% in '06**   
**Explaining the large jump last year, a state official says the figure was unusually low in 2004 and 2005.**

William Petroski  
*Des Moines Register*  
August 21, 2007

Iowa had one of the country's sharpest increases in drunken-driving deaths last year, but it remains well below the national average for alcohol-related fatalities, a federal report shows.

The National Highway Traffic and Safety Administration said Monday that 122 people died in drunken-driving crashes on Iowa roads in 2006 - 28 more than a year earlier. The 29.8 percent increase compared with 2005 was the third-largest increase in the United States.

Only Kansas and Utah had larger percentage increases in drunken-driving deaths, the federal agency said.

Drunken-driving fatalities are defined as those in which a driver or motorcycle operator has a blood alcohol content exceeding .08, which is the legal limit nationwide. Alcohol-related crashes include those in which any measurable amount of alcohol has been consumed, including as little as one bottle of beer.

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| **Drunken-driving deaths in Iowa** |
| **2005** 450 overall fatalities, 94 involving drunken driving  **2006** 439 overall fatalities, 122 involving drunken driving |  |

Iowa's 148 alcohol-related deaths in 2006 accounted for 34 percent of the state's overall traffic toll of 439 fatalities. This was well below the national average of 41 percent, with Iowa tying Oklahoma for the sixth-lowest proportion in the country, the federal agency said.

"We still have some work to do. You always do when you have alcohol-related fatalities. But I think overall, Iowans are pretty responsible drivers," said Dena Gray-Fisher, spokeswoman for the Iowa Department of Transportation.

Robert Thompson, an administrator with the Iowa Governor's Traffic Safety Bureau, said that Iowa's statistics last year represented a return to a more normal level after two previous years in which such traffic deaths fell dramatically.

Because the death tolls had been so low in 2004 and 2005, last year's figures appeared to be abnormally high, Thompson said.

"We are still in relatively good shape compared to other states, but we are continuing to work hard to try to push those numbers down rather than upward," he said.

Nationwide, there were 13,470 deaths in 2006 involving drivers and motorcycle operators with blood alcohol levels of .08 or higher.

This was down slightly from 2005, when 13,582 people died in crashes involving legally drunk drivers, the Associated Press reported.

Monday's announcement was tied to the start of a nationwide safety campaign titled "Drunk Driving. Over the Limit. Under Arrest."

The campaign starts Friday in Iowa and will extend for 2weeks, including the Labor Day weekend, Thompson said.

It includes enforcement efforts by the Iowa State Patrol and local law enforcement agencies and an advertising program.

U.S. Transportation Secretary Mary Peters endorsed the campaign at a news conference in Arlington, Va.

"This crackdown is very, very, very important because it's the penalties that are imposed when someone chooses to ignore the law that really have the ability to make changes," Peters said.

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**12.** **'Drake only' bar Seeks Peace**

Tom Barton  
*Des Moines Register*  
August 21, 2007

Steven Day said he remembers his days as a Drake University business management student walking from class a couple of blocks east of campus to Big Dogs bar and restaurant, 2222 Forest Ave., to tie one on.

Day reminisces about a friendly, congenial atmosphere and a fun time socializing with friends.

Now, three years later, much has changed.

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| http://cmsimg.desmoinesregister.com/apps/pbcsi.dll/bilde?Site=D2&Date=20070821&Category=NEWS&ArtNo=708210400&Ref=AR&Profile=1001&maxw=490 |
| Steven Day, owner of the Double Deuce, closed the business on Forest Avenue Sunday evening. The establishment will reopen as Doghouse Sports Bar and Grill. |

That's why he closed the bar he purchased with his brother John Day five months ago.

The Drake students were gone, replaced by an older, poorer, rowdier crowd, Day said.

And with them went the name.

Renamed the Double Deuce, the bar took on a tarnished reputation, becoming synonymous with the neighborhood's rise in crime and violence, which is being addressed by the Des Moines Police Department's newly created Neighborhood Enforcement Strike Team.

"The previous owner turned it into a neighborhood bar and drew a rougher crowd that drove students away," Day said.

It's something he has witnessed first hand.

According to a Des Moines police report, Steven Day, his brother John and assistant manager Chris Chew threw out a patron Thursday after he had thrown a chair inside the bar. Roughly 15 people then gathered outside the bar and began fighting. Steven Day used Mace to break up the fight, and the crowd quickly dispersed.

Later, around 2:15 a.m., as the three were closing the bar, a group of eight males returned, upset about being thrown out. Another fight ensued, during which a beer bottle was broken over John Day's head.

On July 13, Dennis Stigler, 37, of Des Moines was fatally shot near the bar in front of an abandoned gas station. Another man was wounded in that incident.

Tyson F. Turner, 31, of Des Moines has been charged with attempted murder in the case.

The bar experienced a drop in the number of patrons after the shooting, Day said.

In a move aimed at restoring a friendly bar atmosphere and helping the area address the rash in criminal activity, Day closed the Double Deuce Sunday.

"Going out of business" signs hang in the bar's front windows. And on Monday, Day and assistant manager Chris Chew took down the "Double Deuce" sign.

It reopens Thursday as Doghouse Sports Bar and Grill - a "Drake only" bar.

"You've got to show your Drake University student ID to get in," Day said. "This bar isn't known for problems. It's just had a clientele change, and we want to make the bar a safer place. Drake students, for the most part, don't cause problems and police themselves."

Drake's enrollment of full-time students this year is fewer than 3,000. Still, Day calls the move a "wise business choice."

"You have better business with a bar that has a safer, friendlier reputation," he said.

For some in the neighborhood, it's a welcome change.

Jackie Clark drove by in her tan Pacifica, saw the sign on the ground, leaned out the window and clapped.

"It's a good thing," said Clark, 25, who lives near the intersection of 23rd Street and Forest Avenue down the street from the bar. "It was too noisy and there was too much drama. If they're going to have a bar, it should be a place to relax and not a place for violence; there's been too much violence."

She said she supports the "Drake only" concept.

"That would be excellent. College students are looking to unwind from classes and have fun. They're not looking for trouble," she said.

Des Moines police Sgt. Debra Richardson, who is assigned to the area, said any step that limits crowds, noise and fights is a positive move.

"Anything that would make the area quieter is a good idea," Richardson said. "It would be a plus for Drake students and the neighborhood to have a place where they can come."

And state law would allow it.

"They are OK," said Lynn Walding, administrator of the Iowa Alcoholic Beverages Division.

"They can refuse or deny service unless it's a protected class such as race, creed, color, sex, national origin, religion or disability," Walding said. "You can have a private country club, American Legion and Knights of Columbus, so long as you don't discriminate by denying public services along those factors. Otherwise, they are free to restrict attendance to certain groups such as students."

The bar can operate under a new name after filing the change with the city as long as it continues to do business as the same corporation. The owners received a liquor license renewal on March 27 that is good for one year and would not need to apply for a new one.

John Day said he believes the new bar will be a positive influence for the community.

"It's the best decision for everyone involved," he said.

For his brother, it will mean a lot less stress.

"I don't have to worry about my liquor license and/or about the bar getting bad press," Day said.

Some still complain that the bar is a negative influence on the community.

Stephanie Nicole Starling, 22, of Des Moines was arrested last November for stabbing Gregory Defell, 29, of Chicago in the 2200 block of Forest Avenue.

Police said Defell was outside the Double Deuce when he was stabbed.

And last October a Des Moines man was shot in the leg. Police said James Banks, 33, was shot by a man with a hood and mask shortly after he left the bar.

Despite the number of incidents that have happened outside the bar, Des Moines Police Sgt. Todd Dykstra said the Des Moines vice unit is not looking into petitioning to take away its liquor license.

"Most of the crimes or calls to police were off their property, and we didn't get any complaints about the bar before this recent shooting," he said.

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**13.** **Some Question 'Drake only' Bar Idea   
The renamed business will open today, but ensuring its safety and success will take time, they say.**

Tom Barton  
*Des Moines Register*  
August 23, 2007

A move to shut down a neighborhood bar was welcomed Wednesday by Drake University students and administrators who said the closing of Double Deuce was "a good thing."

But many had mixed feelings about the bar owners' new business plan to cater strictly to Drake students.

"We were happy to see the bar close, no question," said Dolph Pulliam, director of community outreach at Drake University. "It angered me all summer what was happening in that area around the bar."

The bar at 2222 Forest Ave. was purchased five months ago by brothers Steven and John Day. It closed Sunday and reopens today under a new name, Doghouse Sports Bar and Grill. Only Drake students who show a valid student ID and driver's license indicating they are of legal age will receive bar service.

Steven Day said the decision came after the bar began drawing a rowdier, older clientele and the Double Deuce name took on a tarnished reputation, becoming synonymous with the neighborhood's rise in crime and violence.

Dennis Stigler, 37, of Des Moines was shot and killed near the bar in front of an abandoned gas station July 13.

One concern is whether Drake students would be harassed by the bar's former patrons and others in the neighborhood.

"Will their safety be (the owners') concern when they leave the bar?" Pulliam said. "We are excited to have them in the neighborhood, but we still need to talk with them to see if it's a good idea."

Students were also skeptical of the idea.

Twenty-year-old Sarah Moritz, who turns 21 in November, said other students have told her to avoid the area.

"I think that will hinder it," Moritz said, adding that she would at least check out the bar when it opens.

Pulliam said Drake officials, along with the Drake Business Association and Des Moines police, have worked hard to promote the safety of the surrounding neighborhoods.

"We let students know this is a safe neighborhood and that it's no less safe than other college neighborhoods," he said.

Pulliam said the university is also trying to bring new businesses to the area to increase pedestrian traffic as way of deterring crime.

"We hope with more people in the area, that will drive out the bad guys (and promote) positive business development. This new bar could be good in helping us with that goal," he said.

Some Drake students expressed similar views.

"It's a good idea, because before, there was a lot of gang and drug activity," said Stasos Clark, 21, a Drake senior. "It's the best choice for the owners, but it probably is not going to be students' first choice."

Jared Butler, 21, a Drake junior, said the bar's success will depend on how fast and how well it can build a new reputation.

Drake's enrollment of full-time students this year is less than 3,000. University officials estimate 25 percent are 21 or older.

The Day brothers said they are confident that their new business venture will remain profitable.

"It's a bar and grill, so this allows us to have minors in the building until 9 p.m. In addition to being a bar for the older students, it can also be a place for a bite to eat for all students," John Day said.

And for Drake students wondering if they can bring non-Drake guests with them, management says it will be OK.

"Drake students watch their own, and if they bring a guest, they're going to look after them," said Chris Chew, the bar's assistant manager. "It's going to be a selective clientele like country clubs. We want to bring in a college-age crowd."  
  
<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070823/NEWS/708230388/1001/NEWS>

grapes  
  
  
  
  
**14.** **Less Partying gives U of I a real Reason to Celebrate**

Erin Jordan  
*Des Moines Register*  
August 21, 2007

Parents sending their sons and daughters to the University of Iowa next week may be pleased to know the school has slipped off the list of the top 10 party schools in the nation. It's now No. 12.

The U of I ranked fifth in reported use of hard liquor and 18th in beer drinking in the Princeton Review's 2008 survey of 120,000 students at 366 colleges across the United States.

"We suffer from a reputation that has, unfortunately, been earned," said Phillip Jones, U of I vice president for students services.

The Princeton Review's annual survey quizzes students on dozens of categories, including "Most diverse student body," "Biggest frat & sorority scene," "Students happy with financial aid," "Most liberal students" and "Most beautiful campus."

But the questions involving booze typically generate the biggest buzz in the annual survey compiled in a book that goes on sale today.

The nation's No. 1 party school in the 2008 survey was West Virginia University in Morgantown, W. Va. The top "Stone-Cold Sober School" was Brigham Young University in Utah.

College officials regularly criticize the survey for not being scientific and not measuring the most important factors in a college education. But some officials said the results ring true.

The U of I, which ranked ninth among party schools last year, has tried to fight its reputation with dry social events and programs about the dangers of binge drinking.

Still, nearly 70 percent of U of I students surveyed last fall by Student Health Services said they had participated in binge drinking in the previous two weeks. Close to 1,500 minors - many of those students - were charged with underage possession of alcohol by U of I or Iowa City police in 2006.

The survey reflects the perceptions of the students involved, but it shouldn't tar the whole U of I student body, Jones said.

U.S. News & World Report announced last week that the U of I moved up one spot to 24th among the nation's top 50 public universities. The university stayed at 64th among 250 public and private universities.

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**15.** **Man who hit Iowa City Bridge Pleads Guilty to Drunken Driving**

*Associated Press*August 21, 2007

A man who crashed his truck in a bridge, causing it to collapse, has pleaded guilty to drunken driving.

Kevin Campbell, 48, of Kalona, hit the bridge over a creek on a gravel road in Johnson County in January. His truck knocked out a support side, and it collapsed.

Campbell was sentenced to two days in jail with credit for time served.

He was also ordered to get a substance abuse evaluation and charged over $1,200 in fines. A restitution hearing is set for next month.

The bridge was torn down. A replacement bridge is expected to cost about $390,000.

grapes<http://www.gazetteonline.com/apps/pbcs.dll/article?AID=/20070821/NEWS/70821018/1001/NEWS>  
  
  
  
  
  
  
**16.** **Council Gives Smoking Ban Final Approval**

*WHO TV*August 21, 2007

Next time you head to Gray's Lake or a local swimming pool, plan on leaving the cigarettes in the car. The Des Moines City Council has approved the third and final reading of a smoke-free parks bill.

The ordinance creates a 25-foot smoke-free zone around Western Gateway Park, Gray's Lake beach, swimming pools, and Cownie Soccer Complex. City-sponsored events would also be subject to the ban, and violators could face up to $750 in fines.

The City of Perry approved a similar ordinance Monday night as well.

grapes<http://www.whotv.com/Global/story.asp?S=6958618>  
  
  
  
  
  
  
**17.** **Trooper who shot Attacker had been Drinking**

*Associated Press*August 22, 2007

The state trooper who shot a man for allegedly trying to run him over is being investigated after tests showed he had alcohol in his system during the incident last winter.

Trooper Mark Domino was the key witness in the trial Tuesday against William Filippo Jr. of Cedar Falls, who is accused of driving his vehicle at Domino during a chase Feb. 16 south of Charles City.

Defense attorneys questioned Domino's trustworthiness Tuesday, noting that Domino's blood-alcohol level was .03 percent when he shot four times at Filippo, one bullet hitting him in the head.

"So his judgment ... and what he would have done are certainly subject to credibility issues," said Susan Flander, Filippo's attorney.

Domino's blood-alcohol level was less than half the legal limit. However, the Iowa Department of Public Safety announced Tuesday it will investigate whether Domino violated department policy. That policy includes not reporting for duty while under the influence of alcohol, doing state business within eight hours of drinking alcohol, or smelling like alcohol when reporting for duty.

Floyd County Attorney Jesse Marzen said the investigation shouldn't change the status of the case against Filippo, 29.

Both sides rested their case Tuesday in Floyd County District Court, and Judge John Mackey will make his ruling within 60 days.

Filippo was initially charged with attempted murder after his arrest. Prosecutors changed the charge to assault with a dangerous weapon, eluding and drunk driving, in exchange for Filippo dropping the request for a jury trial. His blood-alcohol level was 0.2 percent, more than double the legal limit.

Officials said the chase began when Domino tried to stop Filippo and question him about a hit-and-run earlier in the day.

During the chase, both vehicles ended up in a snow-filled median along U.S. Highway 218. That's when Domino got out of his squad car and Filippo drove at him, officials said.

Domino fired his gun, one bullet hitting Filippo behind his left ear, and exiting near his right eye. He was hospitalized for about a week.

grapes<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070822/NEWS/70822007/1001/NEWS>  
  
  
  
  
  
  
**18.** **Court Overturns Drunken-Driving Conviction in Waukee Case   
The failure to let Thomas Tracy make a call means his breath test should be suppressed, the court says.**

*Associated Press*  
August 23, 2007

The Iowa Court of Appeals on Wednesday overturned the drunken-driving conviction of a man because police failed to let him make a phone call after he was arrested.

The court said that the failure to let Thomas J. Tracy make a phone call means the chemical breath test he submitted to should be suppressed.

Tracy was pulled over in Waukee on March 6, 2006, after a police officer noticed him swerving and driving 62 mph in a 45 mph zone, court records show.

The officer also noticed that Tracy smelled of alcohol and had bloodshot eyes and slurred speech.

Tracy was asked to perform field sobriety tests, which court records show he failed.

Tracy made two requests to call a family member to get his van, which was owned by his employer, records show.

The officer told Tracy to wait until after the breath test but ultimately did not allow Tracy to make the call, records show.

The breath test showed Tracy's blood-alcohol level to be 0.172 percent, more than twice the legal limit.

Tracy filed a motion to suppress the breath test, contending his right to make a phone call had been violated. The motion was rejected by the district court, which said Tracy did not invoke his right to call a family member because, according to the court, his request was out of concern for the van he was driving and not his own well-being.

Tracy appealed the conviction, claiming the district court erred in rejecting his motion to suppress the blood-alcohol test.

The appeals court said evidence shows that Tracy made two requests to make a phone call and that the requests should not be discounted "simply because Tracy did not intimate that the phone calls would necessarily involve advice about what to do in his predicament.

"Because the police did not honor his requests ... they violated his statutory rights to contact a family member. Therefore, we conclude the district court erred in overturning his motion."

The appeals court overturned the conviction and ordered a new trial without the use of the blood-alcohol test as evidence.

grapes<http://desmoinesregister.com/apps/pbcs.dll/article?AID=/20070823/NEWS01/708230413/1001/NEWS>  
  
  
  
  
  
  
**19.** **Passionate about Wine**

Mary Pieper  
*Globe Gazette*  
August 18, 2007

When Tom Waldschmidt was in kindergarten, his father got an alarmed phone call from the principal of his school.

The principal said Waldschmidt’s teacher had asked the children in the class what they wanted to be when they grew up.

Waldschmidt’s reply? “A bootlegger.”

The Mason City resident, now 52, said his father “could hardly keep himself from laughing.”

Waldschmidt thinks he probably got the bootlegging thing in his head from watching the TV show “The Untouchables.”

Today he really does make his own alcoholic beverages, but it’s strictly not-for-profit — unless you count all the ribbons and trophies he has received for his wines.

Waldschmidt recently won best in show in the non-grape wine division of the Iowa State Fair competition for home wine and beer brewers. It was the third straight year he won best in show in the competition, something no one else has ever accomplished.

There were 180 wine entries in the competition this year. Waldschmidt had 14 of them.

“I wanted it (best in show) so bad I could taste it,” he said.

In addition to best in show, Waldschmidt won three gold medals, three silver medals and three bronze medals for his wines at this year’s state fair.

Waldschmidt, a native of Whittemore, first began making his own wine more than 30 years ago, shortly after he and his wife, Jeri, moved to Mason City.

His inspiration was a man he met through work who made his own wine.

Waldschmidt went to his house one day and sampled his rhubarb wine.

“I thought, ‘That’s some pretty good stuff,’” Waldschmidt said.

Waldschmidt didn’t have much success when he first started to make his own wine, but he gradually learned through trial and error. He became acquainted with a winemaker in Boone, who shared some information with him.

One day Waldschmidt threw away his recipe book because he realized he needed to be more flexible.

“You need to get just a little bit crazy and talk to your fruit,” he said.

By this he means a winemaker needs to adjust the recipe according to the fruit he or she is working with to get the right balance of acid and sugar content.

Waldschmidt has made wine from all kinds of fruit, including grapes, cherries and elderberries.

He almost always grows or picks the fruit himself.

Waldschmidt is a member of the North Iowa Wine Club. The group has 35 to 40 members, 15 to 20 of whom make their own wine.

The group has its own wine-making competition every year.

“Our club is very competitive,” he said.

Waldschmidt, a carpenter working for Henkel Construction, would like to go into winemaking as a commercial business someday.

People often ask Waldschmidt what is secret is to making great wine.

His answer?

“Passion,” he said. “I’m very passionate when it comes to winemaking.”

<http://www.globegazette.com/articles/2007/08/18/latest_news/doc46c67f677376c691216649.txt>  
  
  
  
**III.** **OTHER STATE NEWS****20. Comply by Oct. 1 or Face Fine (Alabama)**  
**Decatur smoking ordinance generates questions from businesses**

Evan Belanger   
*Decatur Daily*August 22, 2007

Decatur’s new comprehensive smoking ordinance is generating a multitude of questions from business owners and local residents.

Passed in a 3-2 City Council decision Aug. 6, the ordinance bans smoking in all public places, including bars, restaurants and outdoor sporting arenas.

After more than a week of consideration, Mayor Don Kyle announced Thursday he would not veto the ordinance, which he originally expressed reservations about.

$500 fines per day

That means Decatur business owners have until Oct. 1 to comply or face up to $500 in fines per day.

According to the ordinance, compliance means the business owners must soon post no-smoking signs at every entrance and in every area where smoking is prohibited. They must also remove ashtrays and smoking paraphernalia from their businesses and verbally request that smokers not light up if they see a violator.

But while compliance may seem self-explanatory, the ordinance does make a few exceptions that are leading to questions from the public.

For example, smoking is allowed on outdoor patios at restaurants and bars as long as the smoker is not within 10 feet of the building, but the law allows the business owner to ban smoking outdoors.

Other exemptions in the ordinance include private clubs with no employees, private rooms at nursing homes and dedicated tobacco retail stores.

The law also bans smoking in all places of employment, even those that do not regularly serve the public.

“There’s going to be a lot of questions, and that’s OK. That’s why we’re trying to help educate people before it takes effect,” said city attorney Herman Marks, who wrote the ordinance.

Marks said possible education solutions could include a large-scale question-and-answer session to which business owners will be invited and a brochure to be mailed to all business owners.

“The idea is to help people comply with it, not to catch someone unaware,” he said.

But even with Marks and other city officials fully involved in answering questions, enforcement of the law was still in its infantile phase on Friday.

Marks and Kyle both said the success of the ordinance will rely much on complaints from the public.

“It’s going to require citizen input, much like our weeds, litter and junk ordinance,” Kyle said. “It’s also going to rely on self-discipline from the business owners.”

Specific governmental enforcement strategies in the ordinance call for the police, fire and health departments to handle complaints. But it was not clear Friday whether all three departments had enough staff or the authority to take on the task.

Police Chief Ken Collier said enforcing the ordinance will affect his department’s manpower, but the police will manage.

The Building Department will handle standard inspections for compliance during other routine building inspections, according to the ordinance.

District 2 City Councilman David Bolding said the new ordinance should be easier to enforce than the old one because inspectors no longer have to deal with designated smoking areas.

“Before, you actually had to go outside and check the unit,” he said. “I mean you almost had to check all the ducting.”

**Where smoking is prohibited**

Buildings and vehicles owned, leased or controlled by the city of Decatur.

Enclosed spaces frequented by the public, including bars, restaurants and retail establishments.

Enclosed spaces at any place of employment, including private offices and employee lounges.

Outdoor seating areas and enclosed spaces at sporting fields or arenas.

Any common area in an apartment building, nursing home or trailer park, including hallways, lobbies and laundry facilities.

Private clubs when they are being used for a function to which the public is invited.

Bingo facilities when a bingo game is in progress.

Licensed child-care and adult-care facilities.

Any unenclosed area within 10 feet of any smoking-prohibited area.

**Where smoking is allowed**

Private residences, except when used for licensed child or adult care.

Hotel and motel rooms that are on designated smoking floors.

Restaurants, hotel and motel conference rooms when used for private events, as long as smoke cannot drift into areas where smoking is prohibited.

Private and semi-private rooms at nursing homes and long-term care facilities.

Dedicated tobacco stores, except at the cash register and in line, as long as smoke cannot drift into other areas where smoking is prohibited.

Private clubs that have no employees, except when used for a function to which the public is allowed.

**How to comply**

Business owners are responsible for posting no-smoking signs at every entrance and in every place where smoking is prohibited.

All ashtrays and other smoking paraphernalia must be removed from places where smoking is prohibited.

The owner must request that any person seen smoking in a smoke-prohibited area stop.

Hotel and motel owners cannot designate more than 25 percent of their rooms as smoking-allowed.

**Penalties**

Business owners who allow smoking in a prohibited area, fail to post signage forbidding smoking or fail to remove smoking paraphernalia will be subject to fines from $1 to $500 for each day the offense was allowed.

Patrons who refuse to stop smoking when asked by the business owner or his representative will be subject to the same fines per violation.<http://www.decaturdaily.com/decaturdaily/news/070819/comply.shtml>

**grapes****21. Officials gather Signatures for Liquor Tax (Alaska)***KTUU*  
August 18, 2007

Some city officials gathered at Town Square today, working to collect petition votes to put a 10 percent tax on wholesale alcohol.

Supporters said the added tax will help deal with the chronic problem of public inebriates on Anchorage streets. They said police and firefighters have to deal with the problem because there is not enough money to pay additional community service employees. Supporters want the funds from the tax to be directed to additional public safety resources.

Anchorage Assemblyman Allan Tesche said the measure is needed.

"The system for dealing with the public inebriates in this town is failing. Law enforcement needs additional help. We're going to provide that help. We're going to stand up for law enforcement. We're going to stand up to take our neighborhoods and our community and our town square back," Tesche said.

Fairview Community Council Chair Darrel Hess said the real test will be getting support from voters.

"I don't think we'll have problems getting the signatures. But we're going to have to convince the voters of Anchorage that this is the right thing to do. You know, we can build a $100 million addition to the museum, we can build an $80 million convention center, but we have to have a decent quality of life in the city too," Hess said.

If over 7,000 signatures are received by mid-November, the petition will show up on the April 1 ballot in 2008.<http://www.ktuu.com/Global/story.asp?S=6951647>

**grapes****22. Busted Party Hosts Forced To Pay Officers (Arizona)**  
  
*KPHO*  
August 17, 2007

Flagstaff police issued a reminder to residents that party hosts busted for disturbing the peace are responsible for covering the cost of a police response.

[](http://www.kpho.com/news/13915778/detail.html##)Police said they receive calls from neighbors reporting loud parties where offenses such as underage drinking, assaults, public urination and criminal damage are taking place. Officers dispatched to the scene to break up the party may issue arrests or citations.

Under a city ordinance, the party host is not only arrested and booked into jail, but is also charged with the cost of the responding officers' salaries for the time spent breaking up the party. Depending on the size of the disturbance, police said, breaking up the party could require several officers and a supervisor.

grapesPolice said the ordinance makes the party hosts directly responsible for the problems they cause for their neighbors.<http://www.kpho.com/news/13915778/detail.html>  
  
  
  
  
  
  
**23.** **Youth Group to hang Positive Pictures in Place of Alcohol Ads (California)**

*CBS 5 TV*  
August 22, 2007

To discourage youths from drinking alcohol, a San Francisco community program is replacing alcohol advertisements in store windows with positive pictures this week.

The teen-oriented Youth Peaceful Organizers Working to Enact Results program, called YouthPOWER, will remove alcohol advertisements from six corner stores in San Francisco's Bayview neighborhood and replace the alcoholic posters with pictures taken by members of the youth group.

"(There will be) a variety of different photos the kids took of various things that are positive in the communities," YouthPOWER's coordinator Melinda Martin said.

Martin said the photographs include images of murals, school, kids on playgrounds, street signs, the Golden Gate Bridge and the Bay Bridge.

"Our hope is to reduce the amount of negative advertisements promoting alcohol to young people," said Viridiana Sanchez, a YouthPOWER member.

Four stores will undergo decoration changes Wednesday, and two more Thursday.

The stores with owners who have agreed to replace alcohol advertisements with positive pictures are Save Store Market at 4500 3rd St., Star Market at 4400 3rd St., Constance Deli at 4124 3rd St., Bayview Liquors at 4700 3rd St., Bora Reang at 399 Eddy St. and Bread & Butter at 888 O'Farrell St.

Martin said the pictures will remain on display for about a year.

YouthPOWER consists of about 10-15 high school students, according to Martin.

grapes<http://cbs5.com/localwire/localfsnews/bcn/2007/08/22/n/HeadlineNews/POSITIVE-PICTURES/resources_bcn_html>  
  
  
  
  
  
  
**24.** **Zero Tolerance for Underage Drinking (California)**

*Argus Courier – Editorial*  
August 22, 2007

Petaluma’s new social host ordinance seems to be working, but police need the community’s cooperation if Petaluma is serious about curtailing its very real problem of underage alcohol consumption. The ordinance makes parents or other home owners responsible for underage drinking at parties held at their home whether or not they are at the residence.

Between July 1 and Aug. 10 of this year, Petaluma police issued nine citations for violations of the social host ordinance. This is more than were issued for all of the previous year. In keeping with the mandate in the new law, police are showing zero tolerance for parties where underage drinking is allowed. “People need to understand that if the police show up to a party that is a nuisance, a citation will be issued,” said Jim Hughes, Petaluma’s alcohol control and enforcement officer.

The new law is necessary because Petaluma’s high school students drink alcohol more frequently and engage in binge drinking more often than their counterparts in the rest of the state, a trend that local officials say puts them at much greater risk of becoming victims of vehicular accidents, sexual assaults and alcohol poisoning, as well as a host of other health and safety problems relating to underage drinking.

According to a recent survey, 33 percent of Petaluma’s high school freshmen and a whopping 52 percent of high school juniors reported drinking alcohol in the previous 30 days. One of the most alarming trends among Petaluma’s teenagers is the widespread amount of binge drinking — consuming five or more drinks in a couple of hours. The survey showed that 18 percent of high school freshmen and 35 percent of juniors participated in binge drinking during the preceding 30 days.

Also alarming, according to the survey, is the major role played by irresponsible adults who encourage or condone drinking by teens. Many teens drink alcohol with the consent of their own parents or other adults — often in their own homes or friends’ homes where adults are present. Twenty-six percent of 11th-grade students, 19 percent of ninth-graders and even 10 percent of seventh-graders reported that when they drink alcohol at parties, a parent or another adult is present “sometimes” or “all or most off the time.”

Petaluma police, school officials and community groups such as the Petaluma Coalition to Prevent Underage & High-Risk Drinking are working to deal with this potentially devastating adolescent problem. For too long, society has looked upon teenage drinking as something like a rite of passage — something every kid experimented with. But the more we learn about teens and alcohol consumption, the more frightening it becomes.

Each year, approximately 5,000 young people under the age of 21 die nationwide in alcohol-related deaths. This includes 1,900 deaths from motor vehicle crashes, 1,600 as a result of homicides, and 300 from suicide. Thousands more are injured from risky behavior related to alcohol abuse.

There are other problems associated with underage drinking, including having unprotected sex and unwanted pregnancies. Studies show that alcohol interferes with young people’s brain development and impacts their ability to study. As a result, grades, relationships and mental health can rapidly deteriorate with adverse long-term consequences. According to a national study, people who start to drink before the age of 15 are four times more likely to develop alcohol dependency at some point in their lives.

Adults who condone or assist teenage drinking are not being friends or buddies with those teens. They are putting them in harm’s way. The best of teens push the envelope on occasion, seeing just how far they can go, while all the time hoping someone restrains them before they go too far. It is up to adults to establish those restraints.

With school starting, it is a good time for Petaluma’s adults to recommit themselves to ensuring that it is a safe and happy time for the community’s schoolchildren. Adults shouldn’t have to be forced into helping curtail teen drinking, but for those who either aid or ignore such destructive behavior by our young people, there will be consequences.

The social host ordinance is the law and it is a law that is being enforced.<http://www1.arguscourier.com/apps/pbcs.dll/article?AID=/20070822/OPINION01/70821021&template=printart>

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**25.** **Judge's Ruling could Limit use of Breath-Test Results in DUI Cases (Florida)**

Jeff Burlew   
*Tallahassee Democrat*   
August 22, 2007

A Leon County judge's ruling to throw out blood-alcohol breath-test results in four DUI cases could have a big impact on others currently facing drinking-and-driving charges.

On Tuesday, Judge Augustus D. Aikens Jr. ordered that breath tests be thrown out in DUI cases involving four men arrested in 2006. Their breath samples showed blood-alcohol readings above Florida's legal limit of 0.08.

"At this point, it will potentially stop the prosecution of every DUI case in Leon County that has a breath-test result," said Tallahassee defense attorney Lee Meadows, who is representing the men.

Meanwhile, State Attorney Willie Meggs said the ruling likely will be appealed.

In his ruling, Aikens found that breath-test results can vary depending on how long someone breathes into the device, called an Intoxilyzer 8000.

Aikens agreed with an earlier Bay County circuit-court ruling, which said, "Rules that permit a test operator to have the subject blow into the machine as long as he, in his undirected discretion wishes ... is insufficient to create a scientifically reliable test."

Meadows plans to file motions today seeking to adopt the ruling for 30-35 other clients he's representing. He said he expects other local lawyers to do the same thing.

Meggs said he hadn't seen the ruling, but he said it sounded "odd." He said the State Attorney's Office is appealing a number of other rulings by Aikens. Meggs defended the use of the Intoxilyzer.

"We've got the newest and best technology out there to determine a person's blood-alcohol content," Meggs said. "It's been approved by FDLE and used all over the country."  
  
<http://www.tallahassee.com/apps/pbcs.dll/article?AID=/20070822/NEWS01/708220324/1010>

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**26.** **New Bill Cracks Down On Scrap-Metal Sales (Illinois)**

*WREX TV*  
August 22, 2007

As copper and aluminum become worth more, thieves are stealing every metal item they can get their hands on -- from electrical cable to beer kegs.

Illinois lawmakers hope to rein in the thefts with a new law that requires scrap dealers to keep and gather information about metal sellers.

Senate Bill 69 requires dealers to copy the driver's license or state ID of sellers. And they have to photograph the license plate and side of the seller's vehicle, along with the items purchased.

Governor Rod Blagojevich has signed the measure, which takes effect January First.

grapesA beer industry group says breweries nationwide lost about $45 million worth of kegs last year.  
  
<http://www.wrex.com/News/index.php?ID=20796>  
  
  
  
  
  
  
**27.** **School bus Driver had two DUI Arrests (Indiana)**

Bob Segall  
*13 Investigates*August 21, 2007

Seven-year-old Jenna Scott was prepared for second grade but, unlike some of her classmates, she did not ride the school bus to Alexandria-Monroe Elementary School for the first day of classes.

"She won't be riding the bus," said her mom, Jill. "It's a very scary situation to put your daughter in, and it makes me sick to my stomach to think about."

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| Jack Quinn had no comments for 13 Investigates Monday morning. |
| Jack Quinn |

Jill Scott expressed her concern after learning that Jenna's bus driver was a convicted drunk driver.

That bus driver, Jack Quinn, was arrested for drunk driving in 1999 and again in January 2006.

State police tell WTHR they cannot find details of the first arrest that took place in Edgewood, Ind., but Edgewood court records show Quinn reached a plea agreement in which he pleaded guilty to a reduced charge of Reckless Driving and, in exchange, the state dismissed his original charge of Operating While Intoxicated. Quinn paid a $25 fine and court costs and the OWI charge never appeared on his driving record.

Last year's case is well documented. Alexandria Police say Quinn drove a van off an Alexandria street at 2:30 a.m. and crashed into a house, causing $5,000 to $10,000 worth of damage. Police reports show Quinn staggered from his vehicle, had slurred speech and unsteady balance, and his blood alcohol level was .16, twice the legal limit.

In February 2006, Quinn pleaded guilty and was convicted of OWI. That should have triggered a mandatory one-year suspension of his CDL, disqualifying him from driving a school bus.

But 13 Investigates discovered Quinn continued to drive a school bus because - until this investigation - the drunk driving conviction never showed up on his driving record.

**Court notification problem**

The BMV blames the problem on Alexandria's City Court, where Quinn was convicted.

"We never got the documentation we needed to process the conviction," said BMV spokesman Dennis Rosebrough. "If we don't have proper documentation from the court, we cannot just unilaterally take action against someone's driving record. Until we officially know something from the court, we cannot do anything."

State guidelines recommend that courts notify the BMV of an OWI conviction within ten days of the conviction date. The BMV says the Alexandria Court submitted partial notice of Quinn's OWI conviction 140 days after his February 6, 2006, conviction, but did not include the official document (referred to as a S.R. 16) that shows proof of conviction.

"We contacted the court last year to ask for more documentation but we got nothing," Rosebrough said.

Without the proper documentation, the BMV did not enter Quinn's conviction into its database and, therefore, the OWI conviction did not appear on his driving record when Alexandria Schools

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| Parent Jill Scott: "It's not okay." |
| Parent Jill Scott: "It's not okay." |

conducted routine driving record checks on its bus drivers.

"It's really frustrating for us," said Alexandria Superintendent Jim Willey. "We rely on the court and the BMV to provide us with timely information. This put us in a very bad situation."

The Alexandria judge who presided over Quinn's case says he cannot explain why his court did not send the required paperwork to the state.

"I don't know what happened, but nothing can be done at this point," said Judge Jim King. "We just have to pray [the drinking and driving] doesn't happen again and that it doesn't happen while he's driving a school bus."

King did not want to talk with WTHR on camera, but he did speak with 13 Investigates several times by phone and once in person.

**Mistakes were made**

During those conversations, the judge admitted that mistakes were made in the Quinn case and that he understood why some parents might be upset: "I would not want a child or grandchild of mine riding the man's bus so I understand the parents' concerns."

The judge also pointed out the "Not Guilty" stamp on Quinn's case file was meant to refer only to the bus driver's original plea and the "Case Dismissed" stamp referred to the judge closing the case after Quinn completed his probation.

When asked why Quinn got only one year of probation and why the probation was dismissed after just seven months, the judge explained, "Jack hired himself a good attorney. BS walks and money talks. I think OJ proved that." He later added, "I was under the impression this was his first arrest for OWI. If I had realized it wasn't, that would have changed things."

Late last week, just one day after 13 Investigates began asking questions about Quinn's driving record, the BMV called Alexandria's City Court to request the proper documentation needed to record Quinn's OWI conviction on his official driving record. The paperwork was forwarded to the BMV the same day, and within 24 hours, the BMV changed Quinn's record to reflect his drunk driving conviction and to show his school bus driving privileges had been disqualified.

Why didn't the BMV do that a year ago?

"The BMV handles 20,000 tickets a week," Rosebrough said. "We just can't chase after cases."

**Communication breakdown?**

While the BMV changed the driving record, it did not notify the Alexandria school district about the changes.

That is why Jack Quinn was driving a school bus Monday morning on the first day of school, just as he had done for the 18 months since his conviction for drunk driving.

School administrators did not realize Quinn was driving with suspended driving privileges until notified by WTHR.

After dropping off dozens of students at Alexandria's elementary and middle schools, Quinn pulled his bus off the road to meet investigative reporter Bob Segall.

That is when the school superintendent and Alexandria Police converged on the scene and, after confirming that Quinn's license had been suspended by the BMV, told Quinn to leave the bus.

Ironically, it was the bus driver who then needed a ride home. An Alexandria police officer gave him a ride as school administrators decided what to do next.

"Obviously in light of this information, we'll take appropriate measures," the superintendent said.

Within hours, Willey announced he had suspended Quinn and had found a replacement to take the bus route. He said parents whose children live along the route would be informed by letter late Monday that Quinn would no longer be driving bus #2.

Willey was not sure exactly how long Quinn would be suspended, but he told Eyewitness News, "It will be quite a long time."

According to Indiana law, a school district may use an OWI-related conviction as grounds to deny employment to a school bus driver for up to five years after an individual has been discharged from probation.

Quinn's probation ended September 11, 2006.

The superintendent said Quinn was a contract driver for the school district who "seemed to get along well with students" and who was "usually always on time with his bus route."

Quinn told 13 Investigates his drunk driving incidents were mistakes that should not prevent him from driving a school bus. He said he had driven school buses for thirty years and said "I'd still be driving if it weren't for all this."

"I'm glad he's not driving the bus any more," Jill Scott said Monday afternoon. "It's not OK, any way you look at it."

The number of drunken driving deaths in Indiana has fallen only slightly. Last year, of the 899 people killed in traffic accidents in Indiana, 247 involved a legally drunk driver. That's 27 percent, or just over one in four accidents involving a drunken driver. It's also seven fewer DUI-related deaths than in 2005 or a decrease of about three percent.

Indiana has launched a new initiative to catch drunken drivers from now through September 9. More than 250 law enforcement agencies are working together on this new drunken driving crackdown.

Quinn's driving record on the first day of school looked much different from the record that Alexandria schools saw when they checked it a week before.

<http://www.wthr.com/Global/story.asp?S=6958014&nav=9Tai>

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**28.** **ABC Cracks Down on Alcohol Sales to Underage College Students (Kentucky)**

*WKYT TV*  
August 22, 2007

With students returning to campuses across Kentucky, the Kentucky Office of Alcoholic Beverage Control (ABC) is stepping up efforts to prevent sales to minors at establishments that cater to college and university students.

"Every fall, as college gets underway, we see a significant increase in the number of incidents involving alcohol sales to underage consumers," said ABC Executive Director Chris Lilly. "We are putting bars and alcohol retailers on notice that we intend to vigorously enforce underage drinking laws.

"While some people might view underage drinking, particularly by college students, as something of a rite of passage, it is in fact both illegal and dangerous," Lilly said. "It threatens the safety of those young people who drink as well as the safety of other citizens."

Lilly called on retailers, bars, and restaurants to prevent drinking by minors. While most establishments do a fairly good job of guarding against sales to minors, some that cater to college-aged students are less vigilant, he said.

ABC investigators and local law enforcement are out in force to make sure that underage drinking laws are being followed. They are citing establishments that allow minors to drink and remain on their premises.

With the school year just beginning, several establishments already have been cited for infractions and there have been dangerous incidents involving over-consumption of alcohol by minors.

Each charge of sale to a minor carries a fine of up to $1,750. Fines double with a second offense, and a third offense can result in the revocation of an establishment's liquor or beer license. Adults convicted of providing alcohol to minors can receive up to 12 months in jail, while minors who drink alcohol or have fake identifications are also subject to criminal penalties.

<http://www.wkyt.com/wymtnews/headlines/9318412.html>

**grapes****29. Coach Fined for Supplying Alcohol to Teens (Maryland)**

*WBAL TV*  
August 17, 2007

A volunteer high school lacrosse coach in Anne Arundel County was fined $192 for supplying students with alcohol, sending two to the hospital.

Gregory Karanzalis, 24, was accused of providing the alcohol to the students at Broadneck High School just three weeks after a senior at the school died from alcohol poisoning.

Authorities said that Karanzalis -- called "Coach K" by students -- gave alcohol to two 17-year-olds, a boy and a girl, who had to be hospitalized in May after drinking too much. They were treated and released.

Besides the fine, Karanzalis was given one year of unsupervised probation before judgment.  
  
<http://www.wbaltv.com/news/13915770/detail.html>

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**30.** **Push to Allow Sale of Alcohol until 4 a.m. Advances in House (Michigan)**  
**State lawmakers fine-tune bill that would aid budget**

Chris Andrews   
*Lansing State Journal*  
August 18, 2007

Efforts to allow later-hours drinking at Michigan bars and restaurants are pushing ahead in the state House.

Lawmakers are fine-tuning legislation to permit retailers, including stores, restaurants and bars, to buy licenses to sell alcohol until 4 a.m. Sales are now shut off at 2 a.m.

It also would establish special licenses to allow Sunday morning sale of alcohol. That is now prohibited from 7 a.m. until noon.

Supporters say the measure would spur additional business, and that the special licenses would bring in badly needed revenue to state coffers.

Jack Dowd, 55, of Lansing said he'd welcome such a law personally, although he expressed some concern about whether others would abuse it and drive drunk.

"It would be nice sometimes, especially Saturday nights," he said.

"You don't get down there until late, you have a few beers and next thing you know, it's last call."

The measure passed the House Regulatory Reform Committee in April.

**New draft of bill**

A new version of the bill was introduced on the House floor earlier this month with an eye toward broadening support. It's unclear how soon a vote in the full House will be held.

Under the latest draft:

• Retailers would pay $2,500 for the late-night permits. In other proposals, the fee has bounced around between $1,000 and $5,000.

• Municipalities could allow the permits, prohibit them or establish entertainment zones to allow them in certain areas.

• Retailers could pay $1,500 for a Sunday-morning permit.

Kris Elliott, who owns Tavern on the Square and Troppo in downtown Lansing, said he doesn't anticipate buying a special permit. But he likes the idea of allowing businesses to stay open longer if they choose.

"Whether or not it would be good for business is probably highly debatable, but I think it's everybody's right to be able to use their property, real estate and fixed assets as much as they can," Elliott said.

East Lansing Mayor Sam Singh said he supports the legislation because it would benefit larger cities, such as Detroit. However, he doesn't see any need for it in college towns such as East Lansing.

"At times, our community has obviously had issues with alcohol and issues that correspond with alcohol," Singh said.

"I don't think that's something that I would be looking at."

**MADD's reaction**

Mothers Against Drunk Driving of Michigan executive director Homer Smith said the group isn't necessarily against a later closing time. But MADD believes there should be a standard practice, rather than allowing some to stay open later than others.

"We believe that encourages barhopping and will lead to more traffic accidents," Smith said.

Jeff Wilson, who was drinking a Coke on Friday afternoon at Brannigan Brothers, said he's not a late-night drinker, but believes later hours would be reasonable.

"Other states do it, and it doesn't seem like they have any more problems than we do," said Wilson, 30, of Lansing.

"For people who are up late, it does provide them with an opportunity to be out and engaged in some activity."

<http://www.lsj.com/apps/pbcs.dll/article?AID=/20070818/NEWS01/708180336/1001/news>

**grapes****31. A St. Louis man signs his Home-Crafted Brew with Anheuser-Busch (Missouri)**

Lauren Chapin  
*Kansas City Star*August 22, 2007

Ray Hill had always been strictly a Budweiser/Miller/Coors man.

At least until he tasted a Fat Tire Amber Ale. Hill was so smitten with the flavor, body and nuance of the Colorado regional craft brew that he soon began tinkering with recipes and fermenting the brews in his garage. In 2002, the former government employee in St. Louis cashed in his retirement fund and set out to become a microbrewer.

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| Ray Hill, brewer of Ray Hill’s American Pilsner, started brewing five years ago in his St. Louis garage. Now Hill’s brew has been contracted by Anheuser-Busch. |
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“We looked at him in amazement: Are you sure? And his siblings thought he was crazy,” recalls Hill’s mother, Marsha Hill of St. Louis. “But he wanted to do this. He seemed to know what he was doing, and he went for it.”

That dream may have paid off big.

Last spring Hill struck a historic deal with St. Louis-based beermaking behemoth Anheuser-Busch. For the first time in its history, the company agreed to produce and distribute someone else’s beer. Ray Hill’s American Pilsner, a copper-colored beer with a rich, creamy head, is available in three markets — Kansas City, St. Louis and Washington, D.C.

His namesake microbrew is handsomely packaged in warm browns and oranges — sans references to Anheuser-Busch — and sealed with a traditional lift-off cap. It retails for $7.80 per six-pack. Served chilled and poured so that an inch or so of creamy head is formed, the pilsner has a clean, woodsy nose, a masculine but not bitter or overwhelming flavor and a moderate finish.

“It’s always amazing to go into places I’ve never been to and see it on the shelves,” Hill says. “I think about all the years it took to get to this place, all the struggles.”

But the struggle isn’t over yet: Now Hill must compete for brand loyalty with all the other bottles of beer in the liquor stores.

Brewing a dream

Sales of craft beers grew 11.7 percent in 2006, according to Paul Gatza, director of the Brewers Association, a not-for-profit organization dedicated to home brewers, professional brewers and beer enthusiasts based in Boulder, Colo.

The numbers look just as good for 2007 with 10 to 11 percent growth in the first six months. As craft and microbrew beer sales grow, large American breweries offering domestic lagers have been losing sales to local and regional brewers.

“Our partnership allows Anheuser-Busch to participate in the growing craft beer segment and invest in a minority-owned business that has lots of potential,” Johnny Furr Jr., vice president of urban marketing and community affairs said in a written statement. “Ray Hill’s American Pilsner is a unique brand in the marketplace because it combines the niche urban market with the growing popularity of craft beers. To my knowledge, no other beer in the craft category is purposefully seeking exposure in the urban market.”

To build the brand, Hill has been hosting frequent tastings, including at Hy-Vee in Lee’s Summit, Gomer’s Midtown and South and Berbiglia on 103rd. He has bought advertising on local radio stations KCMO 710 Talk Radio, KCFX (101 the Fox) and KMJK (Magic 107.3). He has attended events that target his demographic, such as First Fridays in the Crossroads Arts District.

He also hired Mario Wayne, formerly a community relations director with the St. Louis Rams, and together they developed the catchphrase: “Give Yourself a Ray’s.”

“There were no craft beers out there targeting urban professionals who are starting to buy different craft beers,” Hill says. “We are not defining ‘urban professional’ by race or ethnicity; rather it is about lifestyle and proximity to the city.”

<http://www.kansascity.com/living/food/story/240503.html>

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32. Man Fights to ban Smoking at Beach (New Hampshire)**

Herb Perry  
*Seacoast Online*  
August 20, 2007

A summer resident concerned about the health of his son and wife — and tired of seeing litter on the beach — hopes his crusade against smoking is more than tilting at windmills.

Dohn Bowden, 46, of Tewksbury, Mass., has summered in York for the last 30 years. When here, his commute to Portsmouth Naval Shipyard now is a breeze, but he worries an ill wind can make the beach hazardous.

“I worry about second-hand smoke,” he said.

His 12-year-old son and his wife, Paula, suffer from smoke induced asthma.

“We have to move him around the beach,” Paula Bowden said. “(We could have) been at the beach since 7 a.m. and then we have move at noon when the smokers arrive.”

Dohn Bowden has spoken to York town managers throughout the years, he said, and reluctantly turned to the press when he ran out of options. People at the beach sit near his family “blatantly smoking,” albeit outdoors, but at such close proximity that the effect on his and other families can be dangerous, he said.

“Nothing can be said to these individuals because (smoking) is not prohibited on our beaches,” he said.

Several municipalities in California, along Lake Michigan and down the East Coast have banned smoking from beaches, but Bowden said each time he has contacted local town officials they say they will talk to selectmen, then higher priority issues such as the surfing ordinance or rules for dogs on beaches, take precedence.

One town manager said “he felt that this one would be somewhat of a controversial item,” Bowden said. “And he didn’t want (voters) to be confused with this is one and then none of (proposed ordinances) would be passed.”

Town Manager Rob Yandow said the issue is “on the list. But we have a long list of potential ordinances for the future. ... That particular issue will be discussed. I just can’t say when.”

No one else has complained to him about smoking on the beach.

Margaret LaCroix, American Lung Association vice president of marketing and communications, said that besides being an air quality issue, smoking on the beach is an environmental issue. She said one study showed cigarettes comprise 50 percent of beach litter.

“We favor anti-litter legislation and legislation that would encourage people not to smoke,” she said. “... And we should all be concerned about the quality of the air we breath.”

Bowden noted the town prohibited smoking two years ago at Harvestfest.

“You would think if they could (prevent) it there, they can (prevent) it at the beach,” he said.  
<http://www.seacoastonline.com/apps/pbcs.dll/article?AID=/20070820/NEWS/70820005>

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33. New Hampshire Liquor is the Toast of the Nation (New Hampshire)**  
**State wins award for enforcement efforts**

*Associated Press*August 19, 2007

A national law enforcement group says the Bureau of Enforcement in the New Hampshire Liquor Commission is leading the charge in the war on underage drinking, illegal gambling and drug use.

The bureau was singled out for its work earlier this month during a national meeting of the Annual Leadership Conference for Enforcing Underage Drinking Laws in Orlando, Fla., with the Liquor Law Enforcement Agency of the Year Award.

The honor gave kudos to the bureau's Ripple Effect program and acknowledged its "multifaceted" approach, accomplished through statewide compliance checks and other investigations, according to a prepared release from the state.

In addition, the award recognized the bureau's influence on compliance rates: While nationwide, fewer than 40 percent of stores and other businesses were found to be following laws regulating liquor and tobacco sales, in New Hampshire the compliance rate was 85 percent during the first year of the program.

"We're extremely proud to be recognized for the hard work the Bureau of Enforcement is doing to enforce our state's underage drinking laws," bureau Chief Eddie Edwards said in a prepared statement.

"Our success is only possible through our cooperative partnership with the New Hampshire departments of Highway Safety, Education, and Corrections and with the U.S. Attorney and Attorney General's offices."

The Ripple Effect program, kicked off in the spring of 2006, includes an educational component on drunk driving aimed at adolescents. The program brought students face-to-face with the potentially devastating consequences of drunk driving.

Experts agree that underage drinking and tobacco use are national issues that profoundly affect the health and wellbeing of children, adolescents, their families and their communities. Likewise, impaired driving, binge drinking and other types of drug use as well as illegal gambling, compromise the quality of life for individuals and communities nationwide.

grapes<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070819/NEWS01/708190377/1043/NEWS01>  
  
  
  
  
  
  
  
**34.** **NJ to Target Bars that Serve Drunk Drivers (New Jersey)**

*Beverage News Daily*August 21, 2007

New Jersey is targeting bars that serve drunk drivers.

The new effort will provide detailed information on whether or not an individual was drinking in a licensed commercial establishment, such as a bar or restaurant, before being stopped and arrested for driving under the influence. The information, which would be noted on a form completed by the arresting officer, would include the name and address of the establishment.

That information would then be sent to the New Jersey Division of Alcoholic Beverage Control, where it will be entered into a data base and used to enhance intelligence information for both division investigators and local law enforcement officers working to identify establishments that may have a history of serving intoxicated patrons.

ABC Director Jerry Fischer noted that under the state’s alcoholic beverage control laws, liquor licensees cannot serve or sell alcohol to any person actually or apparently intoxicated in a licensed premises.

“This information will help to establish patterns in the service of alcohol at bars and restaurants that can be used to more effectively prevent drunk driving and the potentially serious consequences that can result from the over-consumption of alcohol,” ABC Director Fischer said.

The initiative is a coordinated effort with the Division of State Police’s Alcohol Drug Test Unit, the Fatal Accident Unit, and the Division of Highway Traffic Safety and will be incorporated in training being provided to all police agencies by the state. Information on the new initiative will also be disseminated to all local law enforcement agencies.

grapes“Alcohol continues to be a key factor in highway fatalities, and more than 30% of all crashes in New Jersey involve intoxicated drivers,” said Pam Fischer, director, New Jersey Division of Highway Traffic Safety said. “We must continue to find new and innovative ways to prevent anyone who has been drinking from getting behind the wheel. By working together with the ABC, the State Police, local law enforcement and licensed establishments, we can take positive steps towards protecting all New Jerseyans, both on and off our roadways.”  
  
  
  
  
  
  
**35.** **Judge's plan for Underage Drinkers Draws Mixed Reviews (Rhode Island)**

C. Eugene Emery Jr.  
*Associated Press*  
August 16, 2007

Members of the Town Council and the Juvenile Hearing Board have mixed feelings about the request by Family Court Chief Judge Jeremiah S. Jeremiah Jr. to send all underage drinking and drug cases directly to Family Court instead of the board.

Currently, police Chief John LaCross decides whether to refer those cases to the board, which consists of residents who meet behind closed doors with the teens and a family member to mete out punishments such as restitution or community service.

Only youths who admit guilt are eligible to come before the board.

The system, similar to boards in 31 other Rhode Island communities, allows a teenager to make amends without getting a criminal record.

But last month, after four people were arrested in Barrington for underage drinking just hours after a memorial service for Patrick Murphy, who was killed in an incident that involved underage drinking, Jeremiah asked that all cases of teenage drinking and drug use go to his court.

He vowed to push for legislation next year to make that mandatory.

Until then, it's optional for local communities.

Some people in Barrington aren't sure that's the right idea, and the Town Council will meet with the chief and members of the board on Sept. 4 to decide what to do, said the council president, Jeffrey Brenner.

"If Chief Judge Jeremiah believes the Family Court system has the resources available to handle hundreds, if not thousands, of such cases from across the state, great. That's wonderful," Brenner said. "But from what I've seen going on with the judiciary and state budgets, I would be concerned that they don't have the resources."

Ronald J. Pagliarini, Jeremiah's chief of staff, said that's not an issue. "I could tell you unequivocally we would be able to handle them. There's no budget constraints on the programs we put these kids through."

Brenner said Barrington's board already uses programs similar to those in Family Court.

"We have a very good success rate of people we have been able to steer down a more productive path," he said, citing mandatory overnight emergency room visits to show teens the impact of drinking and driving.

"Others will tell you that financially it makes sense [to have the board hear the cases]. Every time you have to bring officers into the courthouse, you have to pay overtime. So not only is it a success with the individuals involved, but also saves money, which is an undercurrent that factors into the decision."

Council member June Speakman said she is "genuinely perplexed" over the best option.

"Given current events, it's hard to argue against a tougher approach, since we seem to have a serious problem in Barrington," she said. "But I'm of two minds" because it would exclude the opportunity for a second chance for otherwise good teens who make a mistake.

Most who come before the board, she said, respond positively.

Steven Thurston, who chairs the board, said about a third of the 30 or so cases his group handles each year involve underage drinking.

"I guess I could argue for both sides, especially when we've had these tragedies locally," he said. Jeremiah "just has to put his foot down and become a little more forceful to see if he can put more of a scare into the young people by bringing it to his court."

"He's been very, very helpful to the juvenile hearing boards in this state," Thurston said. "If he feels that strongly about, I think I would have to abide by it."

Councilman John Lazzaro said the new system would be a return to what he was doing, at one point, when underage drinking was epidemic when he was police chief. He started sending all such cases directly to court.

"Judge Jeremiah is putting back into effect what we were doing then . To get things under control, I think you have to show a more firm attitude in handling this," Lazzaro said. "This is not knocking the juvenile hearing board. They don't have the resources" to keep track of all the cases.

Actually, said Thurston, the board is tracking the cases and keeping a close eye on whether the punishments are being carried out, thanks to a worker in the Police Department who "stays on each and every case. That is no longer a drawback."

"That was one thing we were concerned about because the worst thing that can happen is if we were giving out community service demands and it was getting back to the kids in the high school that you didn't have to do your community service, and you could get away it," Thurston said. "It's very important that cases are followed through."

Dana DeLuca-Shechtman, Thurston's predecessor, who has not served since August, said the board "used to get a lot of feedback from the parents that they were really appreciative of the work that we did."

Brenner said a lot of people outside Barrington brush the underage drinking problem "under the rug. Barrington is not shirking its responsibility."

A call to LaCross's office yesterday was not returned.  
  
<http://www.projo.com/ri/barrington/content/EB_BARRJUVBOARD16_08-16-07_Q56OPL5.2d488e0.html>

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**36.** **Tenn. Medical Group wants ban on Alcohol Ads (Tennessee)**

*Associated Press*August 17, 2007The Tennessee Medical Association wants colleges and universities to ban alcohol advertising from their sports programs.

"Alcohol serves no educational or athletic performance function on college campuses and is a major disturbance to learning and campus life," wrote TMA President Dr. Jack Worthington of Chattanooga in a letter mailed Monday to 21 schools across the state.

The University of Tennessee doesn't allow advertising of alcohol in its sports stadiums, including 102,000-seat Neyland Stadium. But radio and television programming for its coaches' shows and game broadcasts does carry ads for one beer maker, Anheuser-Busch.

"They use the majority of (ads) for consumer messaging for responsible drinking and awareness of underage drinking," UT athletics spokeswoman Tiffany Carpenter said.

She said there are no plans to change UT's policy on alcohol ads.

Maryville College, meanwhile, does not accept ads from alcohol companies or distributors, but it does accept advertising from major restaurants and eating establishments that serve alcohol, according to spokeswoman Karen Eldridge.

Don Ziegler of the American Medical Association's Office of Alcohol, Tobacco and Other Drug Abuse Prevention said that since the AMA began the campaign last year 247 schools and two conferences - the Ivy League and the Big South - have agreed to ban alcohol print and broadcast ads associated with sports promotion and games.

More schools with long-term contracts with advertisers may join the movement when they renegotiate the deals, he said. Some larger schools that have agreed to the ban are the University of Florida, Ohio State and Northwestern University.

Worthington's letter calls heavy alcohol drinking the top health problem on America's campuses, attributing 1,700 deaths to its use annually as well as 70,000 cases of alcohol-related sexual assault or date rape and 500,000 injuries with students under the influence of alcohol each year.

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**37.** **Liquor law Paying off, Restaurant Owners Say (South Carolina)**  
**Three months after adopting liquor by the drink, Sherrills Ford business owners, residents see benefits**

Andrew Mackie  
*Hickory Daily Record*August 20, 2007

Three months after Catawba County’s southeastern corner adopted liquor by the drink, restaurants in the area say the policy is paying off in revenue and safety.

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| http://www.hickoryrecord.com/servlet/Satellite?blobcol=urlmainpicture&blobheader=image/jpeg&blobkey=id&blobtable=MGImage&blobwhere=1173352433123&ssbinary=true&cachecontrol=2%3A0%3A0%20%2A%2F%2A%2F%2A |
| Tom Grady, of Concord, enjoys a martini while he and his wife, Carole, wait for a table at Linebergers Steakhouse and Saloon in Sherrills Ford on Saturday. Linebergers has been serving liquor by the drink for about six weeks. |

Ralph Starling, owner of Linebergers Steakhouse and Saloon in Sherrills Ford, says revenue is up about 20 percent since his establishment began serving mixed drinks in June.

People in the Sherrills Ford and Terrell areas are increasingly choosing nearby restaurants versus fighting the traffic and congestion of Mooresville, he said.

“It has increased our customer base because people don’t have to drive to Mooresville,” Starling said.

Managers at Sagebrush in Denver say business also is up there. Customers don’t visit the family oriented restaurant because of liquor by the drink, employees say, but customers appreciate the restaurant now has that to offer.

“Those that have been coming in for a long time enjoy the fact that we have it,” says Lisa Skipper, manager.

Both restaurants served beer and wine before adoption of liquor by the drink in late May by the Mountain Creek Township - comprised of the Sherrills Ford, Terrell and Denver communities.

Only a handful of restaurants are now serving liquor, but many believe growth in the area will soon attract many more restaurants to the area.

Along with a jump in business, Starling says the new regulation is an improvement over the former “brown bagging,” policy. Customers had been allowed to bring in their own liquor.

“It (liquor by the drink) makes is easier to know who is drinking what and how much they are consuming,” he says.

Twin Oaks Sports Bar and Grill canceled its brown-bagging license 18 years ago after continued problems with rowdy customers, said owner Russell Craig. Craig implemented liquor sales last month to go along with offering beer and wine.

Craig believes the policy will benefit the area for years to come.

“I think that is the best thing that has ever happened to Sherrills Ford,” he said.  
  
<http://www.hickoryrecord.com/servlet/Satellite?pagename=HDR/MGArticle/HDR_BasicArticle&c=MGArticle&cid=1173352436993>

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**38.** **Washington State Starts "Drive Hammered-Get Nailed" Campaign to Catch Drunk Drivers (Washington)**

Rachel Krech   
*Associated Content*  
August 16, 2007

According to a recently published Washington State web site press release, the Washington State Patrol will be helping enforce the Washington Traffic Safety Commission's program known as "Drive Hammered-Get Nailed" campaign. This will put many more DUI task forces out on Washington streets, roads, and highways throughout the state between August 15th and September 3rd.

Many states, not just Washington, are putting more law enforcement out on the roads this upcoming Labor Day weekend and the days and weeks surrounding it. During this time of year, there tend to be more alcohol-induced traffic accidents than most other times of the year.

Alcohol driving deaths are continuing to rise all over the United States and the numbers are shocking. Just last year in 2006, a whopping total of 17,941 Americans all over the country died in alcohol-induced traffic accidents. Just the year before in 2005, that number was significantly lower with 15,172 deaths, according to the National Highway Traffic Safety Administration.

In the state of Washington, there were a total of 3,350 drunk driving crashes. Of those 3,350 crashes, 229 of those crashes resulted in 252 deaths.

Chief John R. Batiste explained, "Getting impaired drivers off our roads is a top priority for the WSP. We will continue to enforce impaired driving laws, but stricter laws and enforcement can only go so far to get dangerous drivers off the road, we need your assistance in order to successfully enforce and educate everyone out there."

The state is now reminding Washington residents and drivers to take the following measures to reduce alcohol-induced accidents:

\* If anyone has been drinking, make sure there is a designated driver. Anyone can call a friend, taxi, or tow truck to get a safe ride home. While it may be inconvenient, especially after a long night, it could end up saving your life or someone else's.

\* If you are driving on the road with someone who appears to be drunk or under the influence of alcohol or drugs, you should immediately dial 911 to report it. An officer in the area may be able to stop the person before they do any damage to themselves or others. If you can do so safely, pull over to the side of the road and try to write down the driver's license plate number or as much as the number as you can remember. This is very helpful if there isn't an officer in the area to stop them now.

<http://www.associatedcontent.com/article/349103/washington_state_starts_drive_hammeredget.html>

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