

ABL WEEKLY

Policy, Industry & Business News for Beverage Retailers

Friday, April 19, 2019

Issue 378

MEETINGS & EVENTS

[May 5 - MBDAPA 83rd Annual Convention & Tradeshow | Pocono Manor, PA](#)

[June 3 - ILBA Annual Golf Outing | Springfield, IL](#)

[June 10-12 - Beverage Alcohol Retailers Conference | Louisville, KY](#)

[June 12 - Connecticut Package Stores Association Annual Golf Tournament](#)

[July 9-10 - ABL Summer Board Meeting | Madison, WI](#)

[July 29-31 - ECRS Ignite 19 Retail Success Conference | Nashville, TN](#)

[September 9-11 - MTA Annual Convention & Tradeshow | Sidney, MT](#)

[September 12 - IABR Fall Golf Outing | Indianapolis, IN](#)

[September 15-17 - ILBA Annual Convention & Tradeshow | LaSalle, IL](#)

[October 10 - IABR Annual Meeting & Board of Directors Meeting | Indianapolis, IN](#)

[October 14-17 - TLW 84th Annual Fall Convention | Green Bay, WI](#)

ABL & PUBLIC POLICY News

[Reducing the DUI Legal Limit: A Spirited Debate](#): Earlier this year, Utah took a key step at reducing one of the key harms associated with alcohol: impaired driving. The Utah state legislature passed a law that reduced the legal limit for blood alcohol concentration (BAC) for operating a motor vehicle from .08 to .05. This makes it the only state to be in accordance with the World Health Organization's "best practice" standard of .05.

[Dem Says Marijuana Banking Bill Will Get House Vote This Spring](#): Rep. Earl Blumenauer (D-Ore.) said Friday that the House will vote later this spring on legislation allowing banks to work with marijuana businesses in certain states. Blumenauer, who has long pushed cannabis legislation in Congress, said he has been in touch with Speaker Nancy Pelosi (D-Calif.) on timing for the bill, which was approved by the House Financial Services Committee in a 45-15 vote last month.

[Supreme Court Hears DUI Case in Which Blood Was Ordered Drawn from Unconscious Driver Without a Warrant](#): A Wisconsin DUI case in which police officers ordered the blood of an unconscious man be drawn for evidence without first getting a warrant was heard by the U.S. Supreme Court on Tuesday. Prosecutors argued that drawing the blood of unconscious drivers helps convict those who kill thousands of people a year in alcohol-related car accidents, the Milwaukee Journal Sentinel reported.

[PayPal Joins Cannabis Banking's Lobbying Ranks in First Quarter](#): PayPal, Inc. has its eye on pot payments. The payments processor recently joined the growing number of companies, municipalities and others lobbying Congress to approve cannabis banking legislation. The San Jose, Calif.-based financial technology and small business lending company—which more typically lobbies on issues like mobile banking, transaction fees and international trade—added pot banking in its first quarter 2019 lobbying report.

[Military Commissaries Are Latest Battleground in Fight for Shelf Space](#): The U.S. military is used to being on the front lines of conflicts around the world. But the latest battle they find themselves involved in is probably one they would never have expected: the fight between beer, wine, and spirits. The ongoing

struggle among the categories for market share spread to military bases after a recent pilot test of beer and wine sales at commissaries (the equivalent of grocery stores on the bases).

[Songwriters of North America Argues for Industry Coalition to Form the MLC](#): The Songwriters of North America has submitted a letter to the Copyright Office arguing why its industry consensus coalition, which also includes the National Music Publishers' Association and the Nashville Songwriters Association International, should be chosen to form the mechanical licensing collective (MLC) created by the Music Modernization Act.

[In the Age of Legal Marijuana, Many Employers Drop 'Zero Tolerance' Drug Tests](#): When Rye Electric was founded in Orange County, California, five years ago, it screened all prospective workers for drugs. If a test showed traces of cannabis, the applicant was nixed. But the fast-growing construction company, which has a millennial-heavy workforce, has since adapted to the times. "We still do the tests," Chief Executive Chris Golden said, "but we choose to look the other way on marijuana."

[Canadian Police Still Aren't Seeing Any Spike In Stoned Driving Post-Legalization](#): One of the major critiques of plans to legalize marijuana is related to people driving under the influence of weed, and the difficulties in policing such behavior. But in Canada, the largest country to regulate marijuana yet – and a nation with some of the highest rates of drunk driving in the world – law enforcement agencies are reporting that there has been no noticeable spike in such arrests since federal legalization.

INDUSTRY News

Alcohol and Tobacco Tax and Trade Bureau (TTB)

[TTB Newsletter – Weekly News \(April 26\)](#)

3x3 Insights

[In Conversation with Monica Woo Part 3: Key Takeaways for Independent Retailers](#)

Alcoholic Beverage Law Blog

[Is a 1935 Alcohol Beverage Federal Trade Practice Law Stifling Innovation?](#)

Alcohol Law Advisor

[Interstate Hemp Transportation: A Cautionary Tale](#)

Law360

[Bud Light Says Miller Lite 'Corn Syrup' Ads Are True](#)

NACS

[Free Webinar: Learn How the Swipe Fee Settlement Could Affect Business](#)

Republic National Distributing Company

[Chip Stevens Named RNDC New EVP for Virginia](#)

[RNDC Introduces eRNDC to Jumpstart the Company's Digital Journey](#)

SevenFiftyDaily

[What You Need to Know About Armenian Wines](#)

Shanken News Daily

[Premiumization Trend Drives Imported Wine's Growth in the U.S.](#)

AFFILIATE News

Montana Tavern Association

[Montana Sports Betting Bills Head to Governor's Desk](#)

The state of Montana is looking like the front runner to become the first state to legalize sports betting in 2019. Two separate sports betting bills, SB 330 and HB 725 easily passed through the Senate last week and headed to the desk of Governor Steve Bullock (D). Both bills have bipartisan support and Bullock is expected to sign one of them.

New York State Liquor Store Association

['Walmart of Liquor' Fighting for Store in Westchester County](#)

An epic battle over cheap booze is coming to a head in Westchester County — and it's slated to land in court next month. Total Wine & More — a fast-growing chain of nearly 200 stores across 23 states that's been branded by critics as a ruthless "Walmart of liquor" — is appealing a decision by the New York State Liquor Authority to reject its application for a 21,000-square-foot store near White Plains.

Texas Package Stores Association

[Sunday Liquor Sales Could Increase Overhead, Impact Safety](#)

Although shoppers like the flexibility of being able to buy hard liquor seven days a week, some liquor store owners are worried that if their stores are open daily, it will increase their operating costs. The Texas Package Stores Association, a group that represents liquor stores in Texas, is opposed to the legislation. According to the association, 75% of all Texas liquor stores are owned locally.

Tavern League of Wisconsin

[Madison Seeks to Limit Late Entry to More Downtown Bars](#)

Madison is looking to increase the number of campus-area bars that are not allowed to let people in late on weekend nights as part of a strategy to reduce fighting and other criminal activity in the area. Seven establishments — including Wando's on University Avenue and State Street Brats — had conditions added to their licenses last year that prohibit them from allowing people in after 1:30 a.m. on Friday and Saturday nights, even if they were previously in the bar that night.

Wyoming State Liquor Association

[Microbrews Slowing Down While Craft Spirits Grow](#)

This might surprise you, but Americans seem to be losing their taste for beer. Even the dizzy growth we've seen in the microbrew industry is slowing down. Craft beer producers are trying to buck this trend, which involves figuring out how to be competitive with each other as well as the newer kid on the block: craft spirits. Mike Moser's job is to know what people are drinking, and what they aren't.

STATE & LOCAL News

[California Company Develops First Dual Marijuana, Alcohol Breathalyzer Test](#): Hound Labs, a venture backed start-up company, has created the first dual marijuana and alcohol breathalyzer. The dual breathalyzer will provide law enforcement and employers an instant analysis of how much THC, the chemical compound in cannabis, an individual has in their system. "In breath were marijuana only stays for a couple of hours there is no legal precedence yet for it," Hound Labs Co-Founder Mike Lynn Lynn told FOX Business' Stuart Varney on Tuesday.

[Colorado: Marijuana Tax Money Targeted for State's Full-Day Kindergarten Rollout](#): Colorado lawmakers have hit on a funding source to help struggling school districts cover up to \$25 million in startup costs as they expand full-day kindergarten this fall: marijuana taxes. The money is expected to aid districts in rural areas, as well as others short on cash. It would help buy new desks and furniture, fixtures for bathrooms and classrooms, and other equipment schools need as they expand their full-day kindergarten offerings.

Illinois: Small Distillers Could See Advantages of New Legislation: Craft distillers in the state have received good news from the Illinois House. A measure recently approved would license them based on size, giving smaller distillers some advantages. The system is modeled on the way craft brewers and winemakers currently are treated in the state. State Rep. Tom Demmer, R-Dixon, was the lead sponsor of the bill in the House. He said the industry is small, but growing in Illinois.

Illinois: Attorney General Raoul Announces Five Individuals Charged in Liquor Store Sales Tax Fraud Sweep: Attorney General Kwame Raoul today announced charges against five Chicago liquor store operators as part of a sweep to crack down on sales tax evasion and interstate liquor bootlegging. The charges are part of a joint effort with the Illinois Department of Revenue (IDOR) to investigate and prosecute untaxed or bootlegged liquor brought in from outside Illinois. The Secret Service assisted IDOR with the investigation.

Maine: State Releases Draft Rules for Its Recreational Marijuana Market: More than two years after residents voted to legalize recreational marijuana, Maine released draft rules Monday that detail how the state's new adult-use market would be launched, monitored and regulated by the Office of Marijuana Policy. The state released the rules in response to a Freedom of Access request by the Portland Press Herald.

Maryland: How Will State Halt Big Cannabis from Taking Over State Industry? Let Firms Own More, Not Fewer, Stores: When well-financed, out-of-state cannabis companies figured out a loophole in Maryland's one-dispensary-per-owner rule, the state's lawmakers and regulators vowed to stop them with a legislative fix. Instead of writing a stronger law to limit companies to just one cannabis store, the General Assembly passed legislation that will let them have four.

Massachusetts: State Officials, Police Ponder Pot and Public Safety: More than two years after recreational marijuana was legalized in Massachusetts, the state has yet to see much physical change in the new industry. But officials say the concern for public safety in the age of legal weed remains a priority. Public officials and experts are weighing in on the possible consequences that the developing marijuana industry could have on the state, in particular the dangers of impaired driving and the fact that some cannabis consumers are sustaining the black market out of personal convenience.

New Hampshire: Senate Considers Bill to Legalize Marijuana: The state Senate Judiciary Committee is considering a bill to legalize the sale of recreational marijuana in New Hampshire. About 40 people signed up to speak at the hearing for the bill, which would also allow people to grow their own marijuana. "One of the things this bill does is recognize that our 85-year-old war against cannabis has been a failure," said Rep. Renny Cushing, D-Hampton.

New Jersey: State's Liquor Laws Protect Small and Local Businesses (Op-Ed): As predictable as the return of summer fun at the Jersey Shore, big-box retailers from out of state and massive corporate supermarket chains have returned to the State House arguing that New Jersey's liquor laws are archaic and unfair. Unfortunately, the changes they seek would only enrich themselves at the expense of New Jersey-based small businesses and the communities they support.

Oklahoma: Legislators Hit Tulsa Area Liquor Stores - But Not for the Reason You Might Think: Three first-year Tulsa legislators spent Friday at liquor stores, but it wasn't because Capitol shenanigans have already driven them to drink. It was because they just didn't know how to vote on a measure that would affect how retailers — as well as bars and restaurants — get their alcoholic beverages. "I'm a social studies teacher," said Rep. John Waldron, D-Tulsa. "I don't know any of this stuff."

Oklahoma: Legislators Hit Tulsa Area Liquor Stores, but Not for the Reason You Might Think: Three first-year Tulsa legislators spent Friday at liquor stores, but it wasn't because Capitol shenanigans have already driven them to drink. It was because they just didn't know how to vote on a measure that would affect how retailers - as well as bars and restaurants - get their alcoholic beverages. "I'm a social studies teacher," said Rep. John Waldron, D-Tulsa. "I don't know any of this stuff."

Pennsylvania: Senate Bill Establishes 1100 Non-LCB Liquor Franchises: A Pennsylvania State Senator from the Middle of the state has introduced Senate Bill 548 which adds a franchise system to the State's current 600 plus Wine & Spirits stores. Specifically, the legislation would direct the PLCB to create a franchise store system, contracting with up to 2,000 franchises by 2024 who will have the ability to sell wine and alcohol spirits in the state for consumption off premise.

Texas: Brewers Have One Last Chance for Their Beer-to-Go Hopes This Year: Time is running out for Texas brewers. There's only about a month left of the 86th Texas Legislature, and that means there's little chance that a law would pass allowing for beer-to-go sales at the state's manufacturing breweries. But advocates have a chance: an amendment attached to a crucial bill going up for a vote on Thursday. State Rep. Eddie Rodriguez, D-Austin, plans to propose an amendment to the Texas Alcoholic Beverage Commission sunset bill that would, like his House Bill 672, permit brewery customers to take home up to 576 ounces of beer per day – or the equivalent of two cases.

Vermont: Governor Won't Sign Marijuana Bill Without Saliva Testing Provision: As Gov. Phil Scott said he wouldn't sign tax and regulate marijuana legislation without a provision allowing for saliva testing for motorists, a House panel got its first look a proposal that would permit that to happen. The Republican governor said for the first time Thursday that he would only support a bill to legalize and regulate marijuana sales, if lawmakers also legalized roadside saliva testing.

BUSINESS & LIFESTYLE News

Drugs and Alcohol on Campus Trends Past and Present: Your college years are meant to be unforgettable, timeless and fun. This is the time to not only build a professional foundation for success, but to make lifelong friends, find your passions and grow intellectually. For most new students, college also brings a newfound sense of freedom. For the first time, you are the only person responsible for the decisions that will affect your day-to-day life.

Why Millennials Prefer Cannabis to Booze: 'Zero Enjoyment Out of Drinking': The beverage industry is evolving, as many young people find marijuana a more appealing alternative. Jena, a 27-year-old business-operations employee based in Chicago, has consumed alcohol socially for nearly a decade. In recent months, however, she's concluded it's not worth the calories or hangovers. She switched to cannabis products, and now she smokes marijuana once or twice a week and eats gummy candies with cannabidiol, also known as CBD, a chemical component of marijuana that's legal and doesn't intoxicate users.

The Essential Bottles of Rye Whiskey to Serve to Your Party Guests: Rye whiskey is the peppery, hot-blooded sibling of American whiskey and bourbon. It's defined by the dominance of rye grains – featuring a mash bill (recipe) with at least 51 percent rye, along with grains like malted barley, cereals like corn, and sometimes even wheat. An easy rule of thumb is the more rye in the mash bill, the more spice in the sip. Rye is a unique spirit in that the burn isn't so much to be avoided as to be savored.

Bartenders Tell Us the One Spirit That Gives Them That Spring Feeling: When it seems to rain every day (depending on where you live), it's hard to muster up a real spring-has-sprung feeling. Sure, all that rainy, foggy, cloudy weather will soon give way to the sunny, everything-is-in-bloom days of late spring and early summer, but it's natural to be a little restless this time of year. Everything seems to be building toward barbecues and swimming holes and the days can't tick by fast enough.

Body Cameras Can Enhance Store Security: Wearable body cameras are commonplace in law enforcement, and when it comes to store security, they could well be the next big thing, reports Stores.org. In the United Kingdom, Walmart's supermarket chain Asda began outfitting security guards with body cameras last year in hopes of protecting them from abuse and attacks by the public.

Raising Wages Is Good for Employees, and Doesn't Have to Be Bad for Your Bottom Line: The "working poor" are a growing problem in America – one that is increasingly embarrassing to the corporate elite. Business leaders who are morally inclined to do the right thing should and can play a stronger role in solving this problem by raising wages to a level where their employees' earnings cover the cost of living.

[After Notre-Dame Fire, Wine Industry Rushes to Help](#): François-Henri Pinault said it felt like a blow to the gut; his teenage daughter had cried and his 82-year-old father mourned. The owner of Groupe Artémis and scion of one of France's wealthiest families was speaking to a Europe 1 reporter Tuesday following the shocking, extensive fire at Cathédrale Notre-Dame de Paris.

[Bourbon Giant Gives \\$5M So University of Kentucky Can 'Educate the Next Generation of Distillers'](#): One of Kentucky's largest distilleries will donate \$5 million to the University of Kentucky to establish an institute that will "educate the next generation of distillers," officials announced Wednesday. The Jim B. Beam Institute for Kentucky Spirits will teach students at the undergraduate, graduate and professional levels.

[A 420 Editorial: Lessons for the Cannabis Community from the Other Prohibition Era](#): As of April 20, 2019, marijuana has been decriminalized or legalized for recreational or medical use in all but a handful of U.S. states. For many in the craft brewing community, which this site is dedicated to, that's great news. Legal cannabis growers are embracing their craft brewing brethren with open arms, and for many the widespread legalization of marijuana has gone together with the craft brewing movement like peanut butter and jelly (or milk and cookies, or cake and ice cream, or sandwiches, or like linguine with cheese... lots and lots of cheese).

[Half of Russia's Alcohol Sold Illegally, Regulators Say](#): Almost half of the alcohol products sold in Russia last year were on the market illegally, the state Federal Alcohol Market Regulation Service said this week. Sales of alcoholic beverages in Russia rose by 4.6 percent in 2018, according to Nielsen estimates, while official statistics show a 1.5-percent decline in vodka sales to 786 million liters.

[Why Weed and Wine Have More in Common Than You Think](#): Cannabis and Cabernet have a lot in common. Jamie Evans came to that realization while she studied viticulture at California Polytechnic State University in San Luis Obispo. Evans, a 2018 Wine Enthusiast 40 Under 40 honoree, applied information she learned in classes on sensory evaluation to cannabis. In 2017, she launched The Herb Somm and began to host private cannabis tastings and culinary events in California in 2018.

[How Restaurants Can Use Coupons to Boost Business](#): Restaurants can use coupons to bring in new customers, drive traffic during traditionally slow times and reward loyal patrons. To succeed with a coupon strategy, restaurants need to be able to follow through with food and service levels that make coupon users want to come back, said Ohio restaurant manager David Masterson.

[Hulu Teams with MillerCoors in Streaming Service's Most Expansive Integration Ever](#): Many of MillerCoors' products are coming to Hulu programming in what will be the streaming service's most expansive integration ever. The company is the first advertiser to work with Hulu on multiple brand integrations, spanning at least 10 episodes of four original programs.

[Backlash Against Cash-Free Retailers Grows](#): As cashless stores have increased in number, so have the complaints of discrimination from policymakers, activists and consumers alike, the Washington Post reports. Currently, no federal law exists that requires stores to accept cash. Lawmakers worry the cash-free movement could move from stores and restaurants to other services, including those with low-income customers.