

ABL WEEKLY

Policy, Industry & Business News for Beverage Retailers

Friday, May 10, 2019

Issue 381

MEETINGS & EVENTS

[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](#)

[October 21-23 - ABL Fall Board Meeting & Industry Meetings | Washington, DC](#)

ABL & PUBLIC POLICY News

[Three More States Debate Lowering DUI Threshold to .05 Percent](#): Two years after Utah lawmakers passed a controversial bill that lowered the state's DUI threshold to the lowest in the country, more states are kicking around the idea to follow suit. Politicians in California, Michigan and New York have all proposed bills to lower their state thresholds to .05 percent blood alcohol content in the past few months.

[Retailers Celebrate National Small Business Week](#): Each May, National Small Business Week shines a light on the impact that locally owned shops, restaurants, service providers, and entrepreneurs have on the U.S. economy and culture, including by investing in the community and creating jobs. The celebratory week kicked off on Sunday with a proclamation from the White House and continues with a week of national events presented by the Small Business Administration (SBA).

[The War On Alcohol: Is This Prohibition 2.0](#): In recent years there have been several studies claiming that even modest amounts of alcohol are deleterious to health. These studies have been criticized as being misleading and overreaching in their conclusions. Recently I sat down with Christopher Snowdon, a frequent critic of such studies, to get his perspective on alcohol consumption and health.

[Driving Drowsy Is as Dangerous as Driving Drunk, Study Finds](#): Driving while tired is as dangerous as driving while drunk, according to a new study from Australia. The study, conducted for the Australian parliament, said driving after being awake more than 17 hours was akin to driving with a blood-alcohol content of .05 percent in regards to reaction times, alertness, and judgment.

[Congressional Wine Caucus Marks Its 20th Year of Advocacy](#): It's said that everything goes better with wine — even legislating in the halls of Congress. That's the theory, in part, behind the Congressional Wine Caucus. In its 20th year, the under-the-radar, bipartisan coalition of lawmakers works in Washington to promote and address the needs of the wine industry.

Rep. Speier Introduces Bill to End Federal Ban on Shipping Alcohol: Congresswoman Jackie Speier (CA-14) and 12 original co-sponsors today introduced H.R. 2517, the USPS Shipping Equity Act. This bipartisan bill would end the Prohibition-era ban that prevents the U.S. Postal Service (USPS) from shipping alcoholic beverages to consumers.

Support for State Regulation of Alcohol Bridges Partisan Gap: A new poll commissioned by the Center for Alcohol Policy on public opinion toward alcohol regulation found that Americans continue to overwhelmingly support states maintaining the authority to regulate alcohol within their own borders. Notably, this support is remarkably strong across political party lines despite the heightened political polarization of today.

Retailers Say Trump's Plan to Boost Tariffs Jeopardize U.S. Economy: The nation's two leading retail associations panned President Trump's threat to raise tariffs on \$200 billion of Chinese good from 10% to 25%. Trump's comments, delivered on Twitter, came as a Chinese delegation was scheduled to resume talks in Washington on Wednesday. Beijing has responded to previous U.S. threats by saying it wouldn't negotiate under pressure.

Music Industry Groups Square Off Against Songwriters, Small Publishers in Mechanical Licensing Collective Battle: On October 11, the Orrin G. Hatch-Bob Goodlatte Music Modernization Act (MMA) was enacted into law after passing both the U.S. Senate and House of Representatives. The bill was drafted in order to modernize U.S. copyright law as it relates to the licensing of copyright protected music for use in digital streaming services such as Spotify or Apple Music.

Lancet Study Calls for Global Alcohol Advertising Ban: A major report on global alcohol consumption has recommended an international ban on alcohol marketing and advertising. The study, published in The Lancet, looked at alcohol intake in 189 countries between 1990 and 2017, during which time consumption increased from 5.9 litres of pure alcohol a year per adult to 6.5 litres. Researchers forecast that consumption will further increase to 7.6 litres by 2030.

U.S. Hispanic Households to Outspend White Households: Now the second-largest demographic group in the United States, Hispanic Americans represent 19.5% of the U.S. population, according to the Claritas Hispanic American Market Report. With more than 64 million members, Hispanic Americans also are the country's second fastest-growing population segment, with 83% growth since 2000.

Trade Hits Out at 'Questionable' Lancet Alcohol Research: Representatives of the global drinks trade have accused a new alcohol consumption study of using a "questionable" forecasting model and producing results that contradict WHO findings. A new alcohol consumption report published in The Lancet has been criticised by drinks industry representatives. Earlier this week, medical journal The Lancet published a study that forecast per capita alcohol consumption across the globe to grow by 17.8% to 7.6 litres between 2018 and 2030.

INDUSTRY News

Alcohol and Tobacco Tax and Trade Bureau (TTB)

[TTB Newsletter – Weekly News \(May 10\)](#)

3x3 Insights

[What Amazon's New Hire Means for Independent Liquor Store Owners](#)

Alcohol Law Review

[Oral Argument Held In 5th Circuit for WalMart Challenge to Texas Liquor Laws](#)

Booze Rules Blog

[Supplier and Distributor Promotional "Banks," Third Party Promotion Companies and Inconsistent TTB Enforcement, Oh My](#)

Brewbound

[Schlafly Sold Again: Sage Capital Sells Controlling Stake in Saint Louis Brewery Back to Family](#)

National Beer Wholesalers Association

[NBWA Raises a Toast to America's Independent Beer Distributors During National Small Business Week](#)
[NBWA & WSWA Applaud Introduction of Bipartisan Resolution Supporting Independent Alcohol Distribution System](#)

National Association of Beverage Importers

["Delivering a WORLD of Taste to AMERICA" Continues to Be the Right Thing to Do to Enhance Consumer Choices](#)

SevenFiftyDaily

[Nominations Are Open for the 2019 Drinks Innovators Awards](#)

Shanken News Daily

[Private Label Wines Make Their Presence Felt On Impact's "Hot Brands" List](#)

Sky Ranch Foundation

[Foundation Awards Grants to Learning for Success, Inc. and Center for Efficacy & Resiliency](#)

Wine & Spirits Daily

[Campari Looks to Build Out Non-Alc Offerings](#)

AFFILIATE News

Montana Tavern Association

[Montana Governor Steve Bullock Legalizes Sports Betting but Rejects Private Market](#)

Montana has become the ninth US state to legalize sports betting and the first this year, although bills also sit on the desks of governors in Tennessee, Iowa, and Indiana. Governor Steve Bullock signed Montana sports betting legislation Friday authorizing the state lottery to offer wagering services via the state's current lottery provider, Intralot. The Greece-based company has effectively been handed the sports betting monopoly and a seven-year contract after Bullock rejected the opportunity to establish an open, competitive market in the state.

Texas Package Stores Association

[Texas Liquor Stores Could Soon Be Open on Sundays: Here's Why](#)

If you're a Texan, you probably know something about Sundays. Liquor stores are closed on that day and have been for decades. Texas is one of seven states that does not allow liquor to be sold on Sundays. This goes back to the so-called blue laws, which do not allow the sale of certain goods on certain days. Most of these laws were repealed more than 30 years ago. The only remaining blue laws in Texas relate to sales at car dealerships and liquor stores on Sundays.

[10 Years After Election, Lubbock's Alcohol Businesses Transformed](#)

Pinkie's, the last holdout on The Strip, is still a hopping lunch spot on Friday afternoon. The smell of sweet barbecue sauce filled the dining area where patrons enjoyed sandwiches and two-meat plates, the daily special. On the other side of the store, customers came out with 30-packs of beer, doing some early shopping for the weekend.

Wyoming State Liquor Association

[Craft Spirits and Craft Brewers Compete for Thirsty Consumers](#)

It's the job of Mike Moser, executive director of the Wyoming State Liquor Association, to know what people are drinking these days. "In my father's era, or my grandfather's era, they started with a Schlitz in their hand and a bottle of Ten High whiskey. And they died with it in their hand," Moser said. "That's all they drank." Moser said younger generations might have favorite brands, but they also want to try out new things.

STATE & LOCAL News

Colorado Senators Lead Way on Federal Legalization of Marijuana: Washington, D.C., became a little more "420 friendly" last month as Colorado Sens. Cory Gardner and Michael Bennet introduced two bills to ease federal regulation of the marijuana industry. Gardner, along with Sen. Elizabeth Warren, D-Mass., reintroduced the STATES Act, which would protect states' rights to determine their own approach to marijuana legalization, without fear of federal intervention.

Colorado's Marijuana Laws Are About to Change...Big Time: Coloradans voted for major change in November 2012, when they approved Amendment 64 and legalized recreational cannabis. Now Colorado lawmakers have approved changes that will prove almost as momentous. Measures opening the state to social pot use and commercial cannabis delivery, as well as approving new medical conditions for medical marijuana, all passed the Colorado General Assembly this session.

Connecticut: House Approves Bill Allowing Self-Service Alcohol Machines: Imagine getting your beer or glass of wine like you would a fountain soda. It may soon be a reality in Connecticut. The bill that would allow self-service alcohol machines at bars just got the thumbs up from the House of Representatives. You would get a card from the bartender and swipe it at the machine.

Florida: State Considers Lottery Warning Labels: Florida senators have proposed slapping all lottery tickets with a warning about gambling addiction, The Lottery Post reports. The Senate version would require lottery tickets and advertisements to put one of two warnings on them: "Play responsibly," and "Warning: Lottery games may be addictive."

Florida: State's Marijuana-Impaired Driving Problem Revealed: For the first time, we are beginning to understand the scope and magnitude of the marijuana-impaired driving problem in Florida. As 8 On Your Side discovered, preliminary data shows marijuana was a factor in nearly one in three drug-impaired crashes in 2018.

Maryland: Anne Arundel County Council Approves Farm Brewery Bill: The Anne Arundel County Council voted Monday to allow breweries as conditional uses on farms within residential low density and R1 zones. Councilwoman Amanda Fiedler, R-Arnold, introduced the legislation after concerns that wineries had more options than breweries. The bill brings breweries to parity with wineries and gives farmers more options to expand their businesses rather than selling their property for development, Fiedler said.

Massachusetts: Behind the Scenes as State Inspectors Police Boston Nightclubs: Outside Venu, the line to get in is so long that dozens of people spill out onto the streets. This is one of Boston's hottest nightclubs. It's also where 23-Year-old Jassy Correia was last seen before she was allegedly abducted and murdered back in February. On a recent Friday night, the I-Team went along with the Massachusetts Alcoholic Beverages Control Commission to get an exclusive, behind-the-scenes look at how they are enforcing laws designed to protect patrons of the state's clubs and bars.

Missouri: Division of Alcohol & Tobacco Control Expands List of Wine Bottles with Possibility of Explosion: Case De Loco took 6 types of wine off the market in late April after being cited by ATC for failing to register the products. The Missouri Division of Alcohol and Tobacco Control has expanded the list of wine bottles consumer should be wary of that were manufactured in the lake area by Casa De Loco in Miller County.

Oklahoma: Alcohol Taxes Up After New Regulations Approved: Voter-approved changes in Oklahoma's alcohol laws have boosted state sales tax collections on alcohol. Regulations that went into effect in October allow grocery and convenience stores to sell strong beer and wine and authorized liquor stores to sell refrigerated strong beer. The Oklahoman reports that since then, the state has collected an average of about \$11.7 million a month in alcohol sales taxes and fees.

Oklahoma: Fiercely Debated Liquor Bill Heads to Governor's Desk: Gov. Kevin Stitt gets to decide a hotly contested liquor bill that advanced to his desk Monday. Senate Bill 608 would require all wholesalers get the opportunity to distribute the 25 top-selling liquor and wine brands. Under current law, which drastically changed when voters passed State Question 792 in 2016, manufacturers of alcohol brands have the ability to designate exclusive distributors of their products, whereas before they were forced to make their products available to all distributors.

Pennsylvania: Topper Bill to Close Alcohol Loophole Approved by House: To give voters more say in their communities and to close a loophole in the updated liquor laws, the Pennsylvania House of Representatives on Wednesday approved Rep. Jesse Topper's House Bill 423 to allow for ballot referendums to authorize "dry" municipalities to issue special liquor licenses to manufacturers.

Pennsylvania: Philly DA's Office Won't Prosecute Cannabis Users for DUI Unless They Are Actually Stoned: The Pennsylvania District Attorneys Association testified against legalizing cannabis for adult recreational use at a hearing in Harrisburg Monday, eliciting a stinging response disputing the association's claims from Philadelphia District Attorney Larry Krasner. "Recreational marijuana is not safe or harmless," Association president John Adams told a joint hearing of the Democratic Policy Committees.

South Carolina: Last Call for Bill Requiring Servers, Bartenders to Undergo Alcohol Training: Bartenders and servers likely don't need to worry about the added hassle of getting licensed or undergoing server training — at least not yet. A bill that would require bartenders and servers in the state to undergo mandatory alcohol server training likely will not pass this year, despite overwhelmingly passing in the state Senate and attracting bipartisan support in the House.

Tennessee: State Supreme Court Rules Cities Are Not Required to Share Liquor Tax Proceeds with Counties: Tennessee's highest court ruled Wednesday that cities with their own school systems do not have to share liquor tax proceeds with counties. Revenue generated by the state's 15% tax on liquor-by-the-drink goes to the Commissioner of Revenue, who keeps half of it and sends the other half back to the city or county. Those funds go toward education.

Texas: Drunk Man Went on Killing Spree, Cops Charged Bartender Who Served Him: Spencer Hight went on a shooting spree in September 2017. He got drunk at the Local Public House, a bar just a few blocks away from his ex-wife's home, then stumbled through her door, heavily armed with a pistol, a semi-automatic rifle and a knife, police say. His ex, Meredith Hight, was hosting a Dallas Cowboys viewing party with some mutual friends, some of who stood in their wedding.

Texas: Sudan Votes in Favor of Off-Premise Alcohol Consumption Sales: City of Sudan voters overwhelmingly approved an initiative for off-premise beer and wine consumption sales among other city and school elections Saturday. This general election had the alcohol issue on the ballot and had 127 votes - or 65 percent - in favor of the legal sale of beer and wine for off-premise consumption only, with 69 votes against it.

Utah: State Legislature Is Going to Take Another Look at .05 (But It's Here to Stay): Lawmakers will discuss Utah's controversial .05 DUI law and whether any modifications need to be made to it. The law, which went into effect on New Year's Eve, has been placed as a study item for the Utah State Legislature's Business & Labor Interim Committee. Sen. Curt Bramble, R-Provo, told FOX 13 the committee wanted to examine its impact.

Vermont: Cannabis Sales Bill Passes House Government Operations Committee: The Committee cast a vote of 10 against 1 for legislation that would work for regulation of the retail cannabis market in Vermont. According to the officials, the Sales Bill will also set up a framework for a protocol for saliva testing. This framework will help the police in a better investigation of the cases involved in impaired driving. It also recommended new ways of enabling local regulating bodies to contain the possibly expanding drug business.

Brick-and-Mortar Still the First Stop for Moms: While online grocery shopping options continue to evolve and win over more shoppers, for now moms are still making brick-and-mortar retailers their No. 1 place to do buy groceries, according to a new Valassis research report. But the numbers may not be as high as those traditional supermarkets might like. When it comes to food purchases, 52% of moms do most or all of their shopping in-store, compared to 27% of dads.

Boston Beer Buys Rival Craft Brewery Dogfish Head: Boston Beer Co. is acquiring Dogfish Head Brewery in a \$300 million cash-and-stock deal that combines two early craft brewers that now confront slowing industry sales and hundreds of competitors. Beer volumes fell 1.5% in the U.S. last year as Americans consumed less alcohol and switched to wine and spirits, according to data compiled by industry tracker IWSR.

Breaking Down Weed-Infused Spirits and What They Mean: As the legalization of marijuana continues across the U.S., spirits producers are seeking ways to get on board. Their efforts mirror the rise in cannabis-infused beer and the ongoing interest in wine and weed. Yet, the intersection with cannabis can be particularly confusing for those who love spirits and cocktails, since there's everything from marijuana-inspired bottlings to drinks infused with CBD, a cannabis derivative.

Distilleries Are Turning into Mini-Theme Parks with Booze: When the expanded J. Rieger & Co. distillery and visitor center opens in Kansas City, Missouri, this July, it will include the usual amenities: a tour, a tasting room, a couple of bars. It will also include a 40-foot metal slide for visitors to gleefully hurtle from a second-floor bar space to the ground-floor exit. "We just thought, it sounds fun as hell," says brand director Lucy Rieger.

Private Label Emerges in the U.S.: The words gripped the seminar audience, especially considering who was saying them. "Consumers don't want to buy cheap wine; they want to buy value and quality wines," Maryrose Rinella, Albertsons-Safeway's director of own brands product management, told the group. "The current trend in the entire US wine industry is, of course, premiumization, and what we think of as private-label wine.

Sales of Canned Wine Reach \$70M: A few years ago while driving in Sonoma County, Calif., Gina Schober and her husband, Jake Stover, had a discussion that led to a brainstorm. They were talking about wine-loving friends who enjoyed hiking, bicycling and boating but did not want to be burdened by heavy bottles of wine and related paraphernalia on their outings.

Wine Drinking Should Be Pointless: Why It's Time to Stop Scoring Wine: When it comes to opinions on bottles of vino, one thing is absolute: They are incredibly polarizing. Points can help the average wine consumer. The world of wine is vast and complex, with hundreds of varieties and regions, so scores can provide a gauge to purchase wine confidently and independently, even if that shelf talker with a 95-point endorsement is all the buyer knows about that bottle.

What Are the Most Asked Questions in a Wine Shop?: Wine stores are a playground. Unlike restaurants, where it's easy to feel restricted by the selections or intimidated by sommeliers, wine stores are the perfect place to take your time and learn new things. But a good wine store is defined by its staff as much as the inventory, and bottle-shop employees are among the most enthusiastic, valuable and underappreciated resources in wine.

Coca-Cola Strikes Down Rumors of Plans for Cannabis-Infused Drinks: Coca-Cola shut down rumors claiming that it is planning to penetrate the cannabis industry, after a report indicated that the company was teaming up with a hashish manufacturer to create marijuana-infused drinks. Instead, the collaboration was said to be a move to transition their products into health-focused beverages.

Kendall-Jackson Continues Push for Official White Wine Emoji: Last year, when Kendall-Jackson announced it was spearheading a campaign for the addition of an official white wine emoji (currently, the wine emoji is almost always presented as a red), skeptical wine drinkers could have simply dismissed the whole thing as a publicity stunt.

Suddenly, Everyone Has an Opinion on the Aperol Spritz: It must be a slow news week. Why else would a hot take on a light, fizzy cocktail send shock waves through social media Thursday? The spark that triggered the outrage is ... the Aperol Spritz. Yes, the Italian cocktail made with the bitter-leaning, low-alcohol pre-meal spirit, along with prosecco, club soda and an orange slice.