

Resolution to Properly Classify Alcopops as a Mixed Spirit Drink

(alcopops are also known as flavored malt beverages, malternatives, and flavored alcoholic beverages)

Whereas, alcohol is the most frequently used drug by high school and college students; ¹

Whereas, according to the Pacific Institute for Research and Evaluation, underage drinking cost the citizens of Michigan \$2.0 billion in 2005; ²

Whereas, advertisements for these “starter” drinks make them appealing to young drinkers, particularly girls and young women who do not like the taste of traditional alcohol products; ^{3, 4, 5}

Whereas, recent survey results published by the American Medical Association showed that teenage girls report drinking alcopops more than other alcoholic drinks, while adult women over 21 years of age report alcopops as their least consumed alcoholic beverages; ⁵

Whereas, according to the U.S. Alcohol and Tobacco Trade and Tax Bureau (TTB), alcopops (referred to as “Flavored Malt Beverages” by TTB) exhibit little or no traditional beer or malt beverage characteristics; ⁶

Whereas, the TTB reports that brewers remove the color, bitterness, and taste that are generally associated with beer, leaving a base product to which brewers add various flavors, which typically contain distilled spirits, to achieve a taste more appealing to younger drinkers and also reports that distilled spirits account to up to 50% of the alcohol found in alcopops; ⁶

Whereas, Michigan defines a “Mixed Spirit Drink” as follows: “a drink ... which contains 10% or less of alcohol by volume consisting of distilled spirits mixed with nonalcoholic beverages or flavoring or coloring materials and which may also contain 1 or more of the following: (a) Water. (b) Fruit juices (c) Fruit adjuncts (d) Sugar. (e) Carbon dioxide. (f) Preservatives; ⁷

Whereas, based on the TTB reports, alcopops are drinks that contain “10% or less of alcohol by volume consisting of distilled spirits” that is mixed with “nonalcoholic

beverages or flavoring or coloring materials,” as specified in the Michigan definition and therefore clearly fall under Michigan’s definition of mixed spirits drinks and not Michigan’s definition of beer; ⁶

Whereas, by these definitions, alcopop producers have avoided tax payments and sold the products in retail outlets in ways that are contrary to Michigan law; ⁸

Whereas, the Michigan Liquor Control Commission has in its mission to “protect both the consumer and general public” regarding issues related to alcohol in the state of Michigan, and has a written goal “to collect and provide revenue for the state;” ⁹

Whereas, proper classification of alcopops serves the best interests of the citizens of Michigan and will reduce their attractiveness to youth by increasing the price (by increasing taxes) and would reduce availability by removing them from beer and wine retail establishments; ^{10, 11}

Be it therefore resolved that, the Michigan Prevention Association believes that alcopops (Flavored Malt Beverages) should be properly classified, according to Michigan law, as a “Mixed Spirit Drinks.”

Be it further resolved that, the undersigned organization endorses this resolution and allows its name to be added to those who support this resolution, thereby assisting the Michigan Prevention Association and others to make this change a reality.

Organization Name: _____

Contact Person: _____

Address: _____

County: _____

E-mail: _____

Phone: _____

Authorized Signature: _____ Date: _____

Please return to MPA at PO Box 4458, East Lansing, MI 48826. For additional information, please contact MPA Co-Chair Ken Dail at info@yourmpa.org.

- ¹ Johnston, L. D., O'Malley, P. M., Bachman, J. G., & Schulenberg, J. E. (December 11, 2008). Various stimulant drugs show continuing gradual declines among teens in 2008, most illicit drugs hold steady. University of Michigan News Service: Ann Arbor, MI. Retrieved 12/08/2008 from <http://www.monitoringthefuture.org/data/08data/pr08t3.pdf>
- ² Pacific Institute for Research and Evaluation (PIRE). (October 2006). Retrieved 12/08/2008 from <http://www.udetc.org/factsheets/Michigan.pdf>
- ³ Mosher, J. & Johnson, D. (2005). Flavored alcoholic beverages: An international marketing campaign that targets youth. *Journal of Public Health Policy*, 26(3), 326-342.
- ⁴ Jernigan, D. (2005). Alcohol advertising and youth: A measured approach. *Journal of Public Health Policy*, 26(3), 311-325.
- ⁵ American Medical Association. (December 16, 2004). Teenage girls targeted for sweet-flavored alcoholic beverages. AlcoholPolicyMD.com Press Room: Chicago, IL. Retrieved 12/08/2008 from http://www.alcoholpolicymd.com/press_room/Press_releases/girlie_drinks_release.htm
- ⁶ U.S. Alcohol and Tobacco Tax and Trade Bureau. (March 24, 2003). Flavored malt beverages and related proposals. *Federal Register*, 68, 14292-14303. Retrieved 12/08/2008 from http://www.ttb.gov/notices/tbnotice_no4.pdf
- ⁷ Legislative Council, State of Michigan: MICHIGAN LIQUOR CONTROL CODE OF 1998 (EXCERPT), Act 58, Section 436.1109. Retrieved 12/08/2008 from <http://www.legislature.mi.gov>
- ⁸ Mosher, J. (November 10, 2004). Flavored malt beverages: An industry fraud designed to target the youth market. Paper delivered at the 132rd American Public Health Association Annual Conference: Washington, D.C.
- ⁹ Retrieved 12/08/2008 from http://www.michigan.gov/dleg/0,1607,7-154-10570_15146-39818--,00.html
- ¹⁰ Chaloupka, F. J. & Wechsler, H. (1996). Binge drinking in college: The impact of price, availability, and alcohol control policies. *Contemporary Economic Policy*, 14, 112-124.
- ¹¹ Komro, K. A. & Toomey, T. L. (2002). Strategies to prevent underage drinking. *Alcohol Research & Health*, 26(1), 5-14.