

Lobby

What type of alcohol system does your state have?

- A. *License*
- B. *Control*
- C. *I don't know*



Pacific Southwest (HHS Region 9)

PTTC

Prevention Technology Transfer Center Network

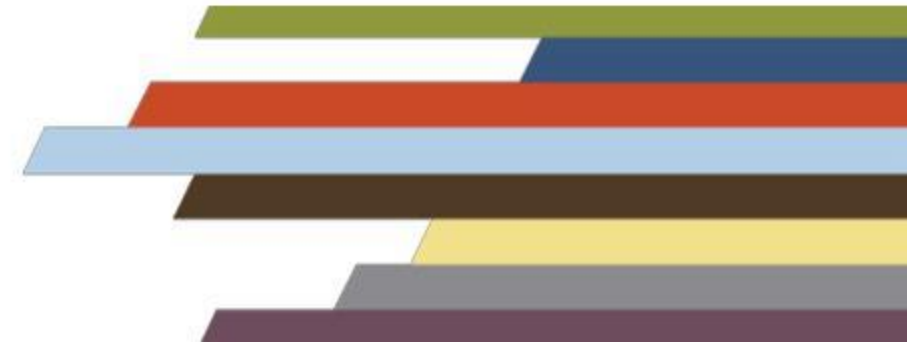
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Unraveling the Myths of U.S. Alcohol Regulation

December 15, 2021

Pamela S. Erickson



Disclaimer

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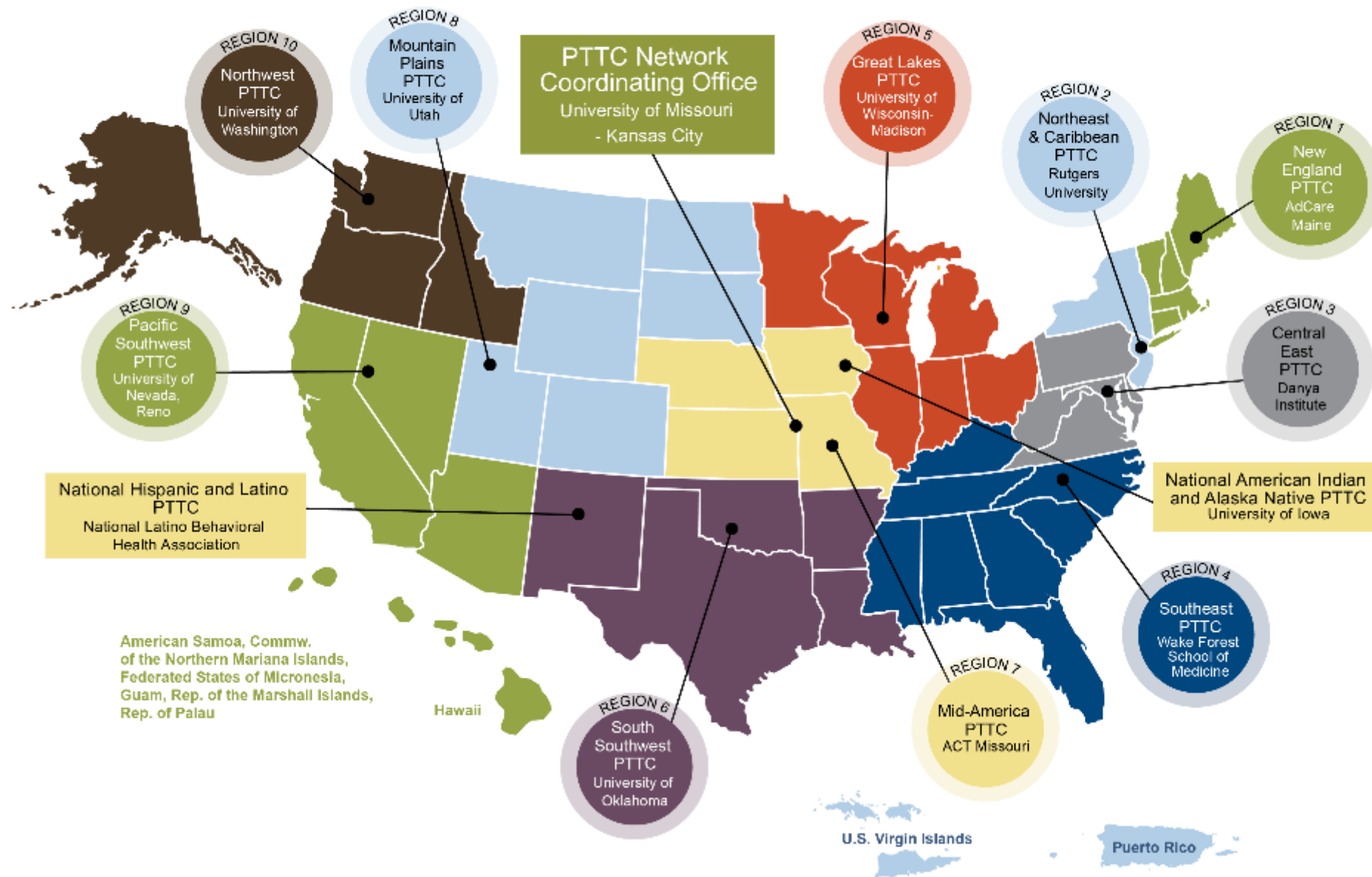
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PTTC

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PTTC Network



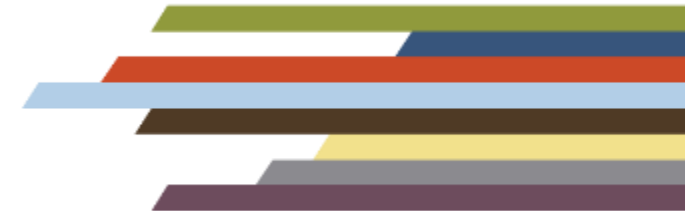
Purpose of the TTCs

1

Develop and strengthen the **workforces** that provide substance use disorder and mental health disorder prevention, treatment, and recovery support services.

2

Help people and organizations incorporate **effective practices** into substance use and mental health disorder prevention, treatment and recovery services.



PTTC Network Approach

The PTTCs...

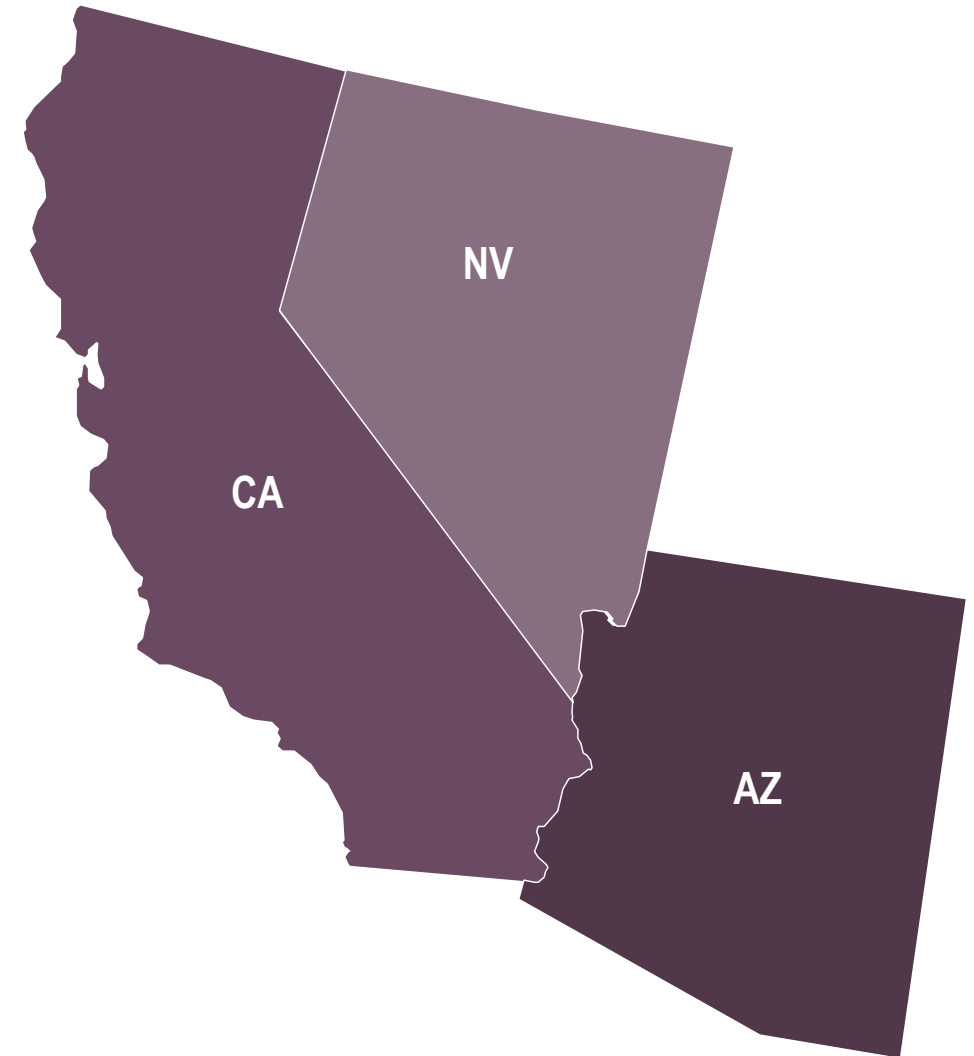
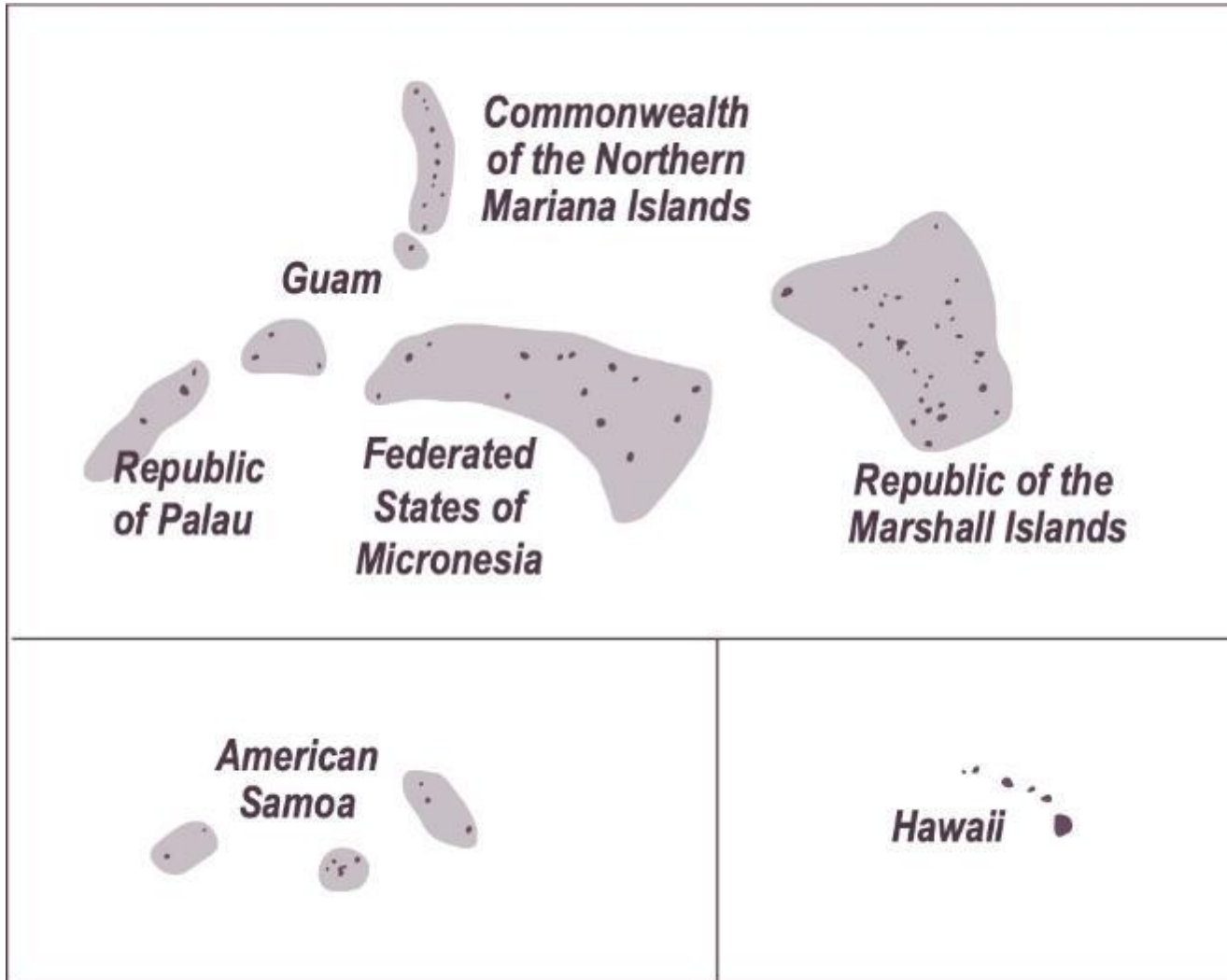
Develop and disseminate tools and strategies needed to improve the quality of substance abuse prevention efforts

Provide training and resources to prevention professionals to improve their understanding of

- prevention science,
- how to use epidemiological data to guide prevention planning, and
- selection and implementation of evidence-based and promising prevention practices.

Develop tools and resources to engage the next generation of prevention professionals

Pacific Southwest



Housekeeping

- For technical support, email Karen at ktotten@casat.org
- Webinar recording and materials
- Certificates of attendance



Mark your Calendars!*

Leveraging Systems Change for Substance Misuse Prevention an Enhanced Prevention Learning Series

January 4, 11, 18, & 25 and February 1 & 8, 2022

Determinants of Health 360: Social, Commercial and Legal Considerations for Preventing Substance Misuse

January 20, 2022

Please visit pspttc.org for registration and more information!

*all times 3:00 Pacific, unless otherwise noted.

Presenter



Pamela Erickson is a passionate leader on alcohol policy issues. Currently, she owns Public Action Management which operates an education campaign for a “Healthy Alcohol Marketplace.” From 1996 to 2003, she directed the Oregon Liquor Control Commission which included licensing, regulatory enforcement and operating Oregon’s distilled spirits business as a “control state”. From 2003 to 2007, she worked at Oregon Partnership to direct statewide leadership and media campaigns to reduce underage drinking. Beginning in 2005, she developed the Campaign for a Healthy Alcohol Market, which is an education campaign designed to explain the purpose and objectives of alcohol regulation in simple terms. She has written several reports on deregulation in the United Kingdom and the US and produces a periodic report for policy makers called, “Issue Briefs.” These reports explain how deregulation can lead to increased social problems such as high rates of underage drinking, public order offenses and alcohol related disease. Pam has also served as an expert witness in key alcohol regulation cases in Kentucky, California, Indiana and Michigan. Her educational materials and legal expert reports/affidavits are available free of charge at www.healthyalcoholmarket.com.

Unraveling the Mystery of U.S. Alcohol Regulation

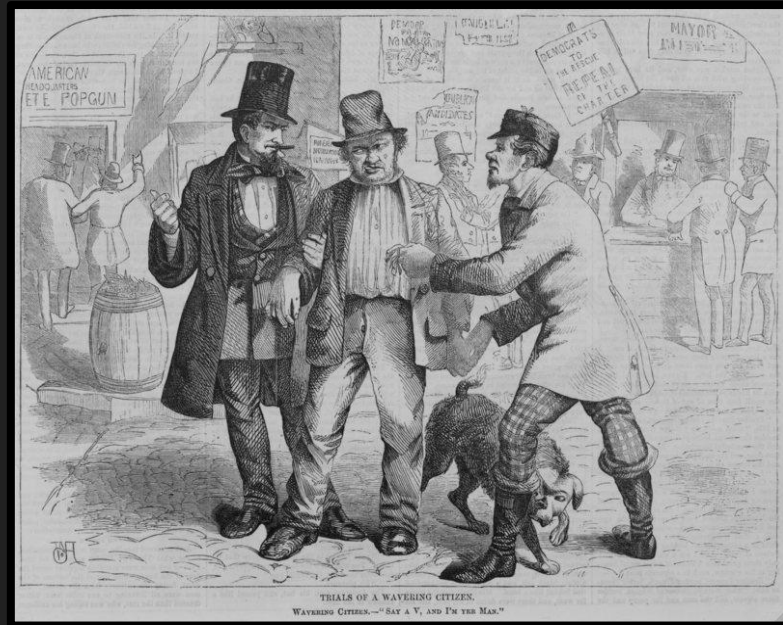
Pamela S. Erickson, former Executive Director, Oregon Liquor Control Commission, Creator of Campaign for a Healthy Alcohol Marketplace, December 15, 2021, a Webinar for the Pacific Southwest Prevention Technology Transfer Center.

Objectives for this session:

Learning Objectives:

- Describe the history of alcohol in the United States before Prohibition and the problems which led to the 18th Amendment (Prohibition).
- Explain the Post-Prohibition history including the importance of *Toward Liquor Control* (a research study) in developing state systems of alcohol regulation.
- Describe the various systems states use to control alcohol problems: how they work and why they are important.
- Identify research from credible sources which confirms the efficacy of our systems.

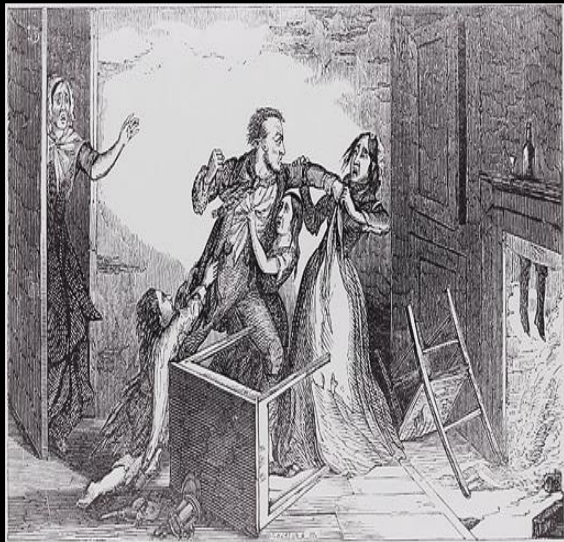
History helps explain our culture of drinking. Two waves of European immigrants beginning in the 1700's brought their patterns of heavy drinking with them.



- Europe was and still is the heaviest drinking region in the world. Alcohol was considered “healthy” and consumption was at least twice as high as today. Little regulation existed. Alcohol companies were politically active.
- Farmers made whiskey from surplus corn, making alcohol an important source of income and jobs.
- The mid-1800's brought a wave of German immigrants who formed beer companies and developed the saloon system.
- The saloon sold all forms of alcohol **very aggressively**. They dominated local markets with Tied Houses, a form of monopoly. They preyed on factory workers with incentives to drink which created family financial issues.

Without much regulation and high consumption, serious problems developed and the temperance movement was formed eventually leading to Prohibition.

Family problems



QUARRLS BETWEEN MR. AND MRS. LATIMER, AND BRUTAL VIOLENCE BETWEEN THEM, WERE THE NATURAL CONSEQUENCES OF THE TOO FREQUENT USE OF THE BOTTLE.—Page 250.

Women lead the way

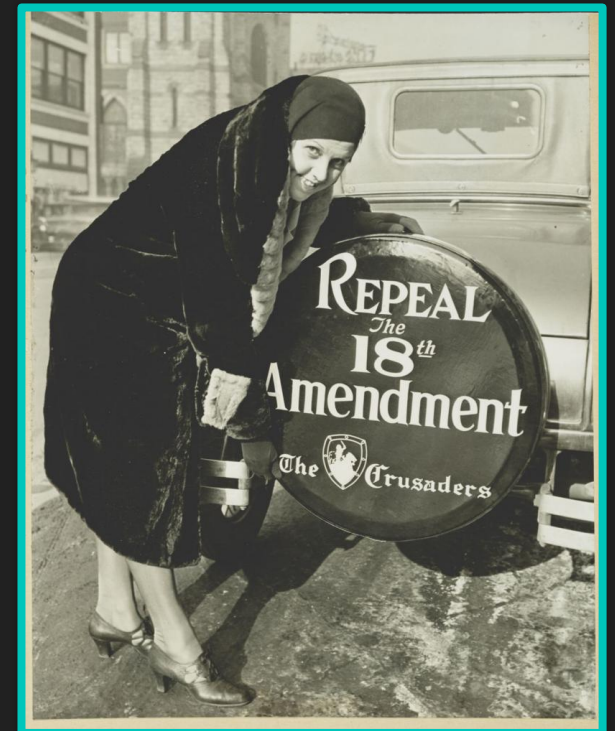


Temperance movement grew

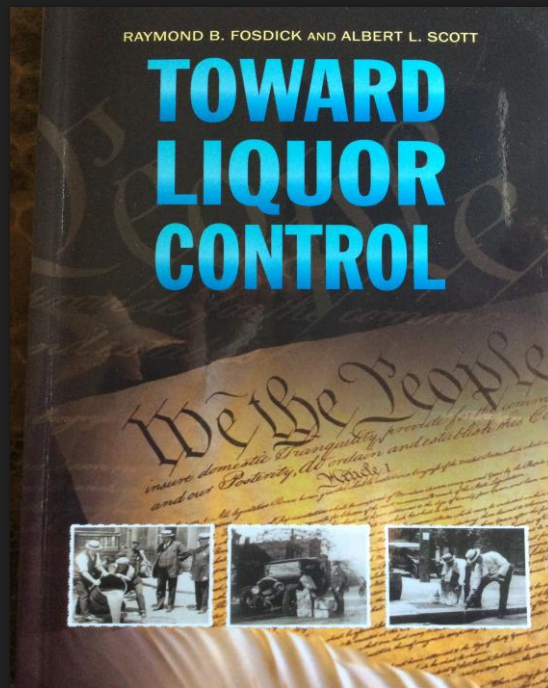


Prohibition became “the solution” to the alcohol problem. It lasted thirteen years, reducing some problems but creating others.

- Prohibition eliminated public order issues, reduced social problems and appeared to reduce drinking levels.
- But, national organized crime syndicates developed to supply alcohol and run illegal “speakeasies.” Enforcement was weak and Prohibition became unpopular.
- Eventually, Prohibition was repealed and the 21st Amendment gave states the primary responsibility to regulate alcohol.



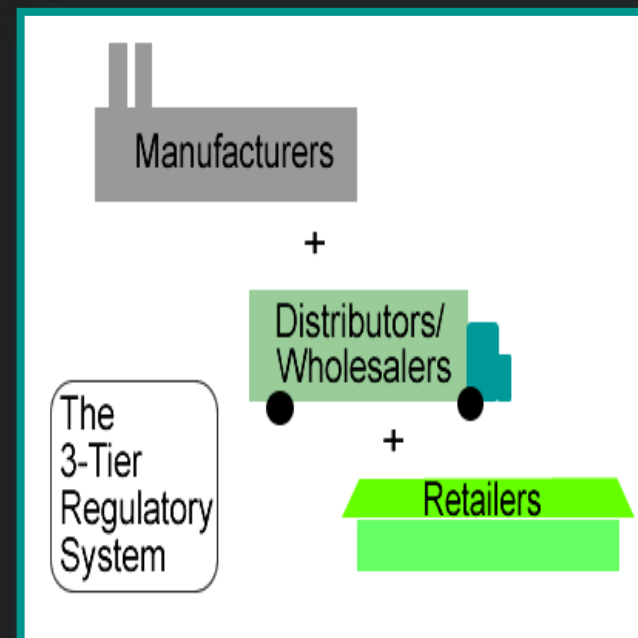
Since states had little expertise in alcohol regulation, they relied on recommendations from *Toward Liquor Control*, a study financed by John D. Rockefeller, a prominent entrepreneur of the day.



- The authors reviewed regulatory systems around the world and interviewed over 400 American leaders.
- They found that Americans believed that moderate use of alcohol could be part of civilized living but also believed that any version of the “saloon system” must never return.
- Thus, states used regulation to balance business and consumer needs.

Toward Liquor Control discussed two different systems: a “license system” and a “control system.” They recommended a state-owned “control system”. (17 states are “control states”)

- **These are similar systems and both have these basic functions:**
- License everyone who sells alcohol. (**Investigation/licensing helps ensure responsible licensees.**)
- Require products to flow through a closed 3-tier system of licensed businesses. (**Helps prevent market domination; ensures safe products and high tax collections.**)
- Set taxes, price/trade practice regulations. (**Balances price and business “playing field” to avoid large quantities of alcohol products widely available and aggressively sold.**)
- Enforce laws to reduce underage and excessive drinking. (**Licensees must have measures to prevent these sales.**)
- Regulate days/hours of sale, location of premises, and density of outlets. (**Curtails availability to reduce consumption and nuisance/criminal activity.**)



Control v. license systems compared

Control System

- State takes ownership of the product at some point in the business cycle (usually wholesale and/or retail).
- Limits some of the adverse impacts of the profit motive.
- Applies more revenue to combat social problems.

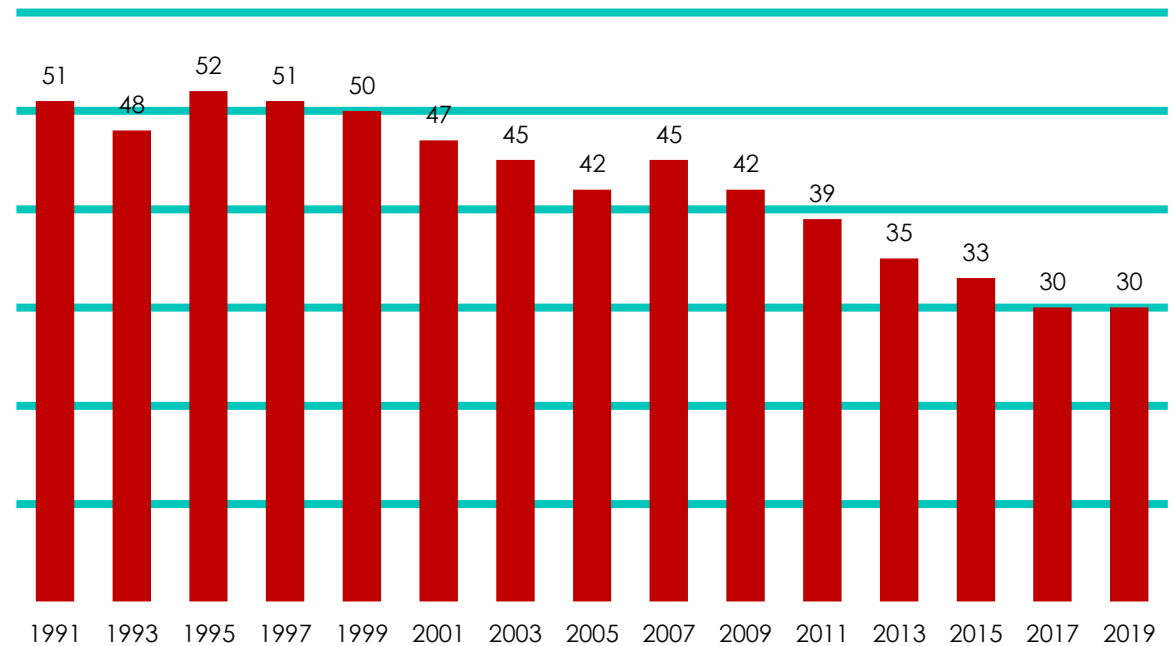
License System

- Private owners sell alcohol at both retail and wholesale levels.
- Increases market competition; driving down prices.
- Less revenue for the state to address social problems.

Today's issues: Lets look at national data on various alcohol issues such as underage and binge drinking. What actions can make a difference?

- Success in reduction of current underage drinking is truly remarkable. From 51% to 30%!
- But, underage drinking is still high and characterized by binge and heavy drinking.
- Enforcement, parent action, community coalitions all made a difference.
- Data source: Centers for Disease Control and Prevention (CDC): 1991-2019 High School Youth Risk Behavior Survey Data.

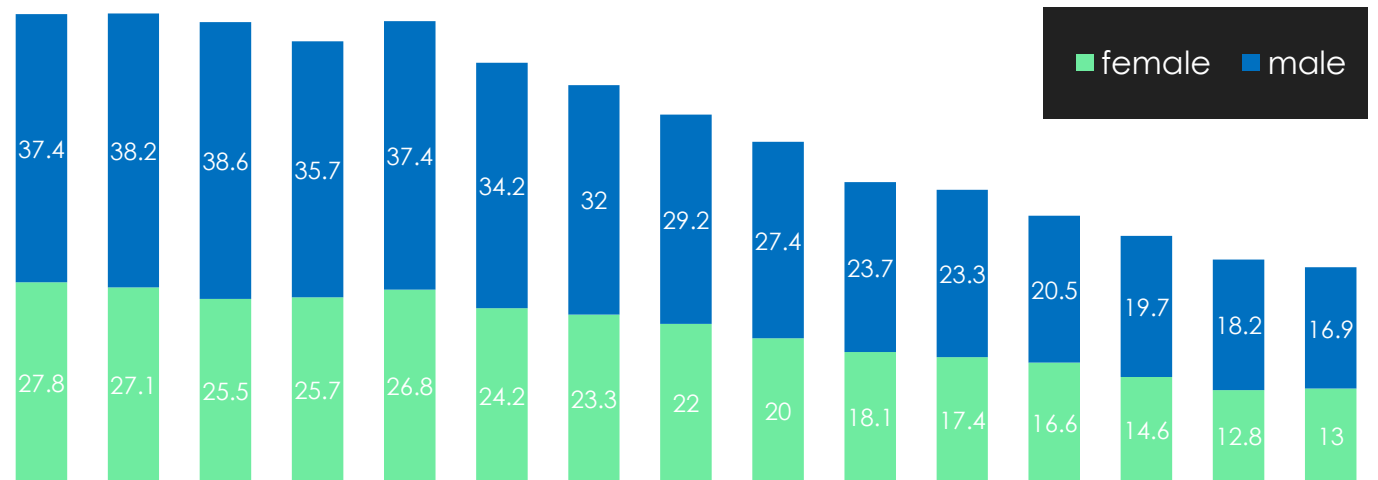
Percentage of High School Students Who Currently Drink Alcohol



Major reductions in age of onset for drinking!

- Exceptionally important as the earlier a young person starts to drink, the greater the likelihood of future problems.
- Reduction is almost in half (from 37% to 17% with recent declines).
- Keep up the good work!

PERCENTAGE OF HIGH SCHOOL STUDENTS WHO HAD THEIR FIRST DRINK OF ALCOHOL BEFORE AGE 13



Party issues: intoxication, violence and virus

- **Similar factors promote extreme intoxication, violence and spread of the COVID-19 virus:**
- * Large, crowded venue (either public or private).
- * Heavy drinking to intoxication.
- * Intoxication impacts judgement and can reduce social distance and mask-wearing protocols.
- * Little or no food service; food reduces intoxication.
- * Standing patrons with little or no seating.
- * Loud music/noise requires shouting to converse. Shouting often spreads droplets that may be infected.
- * Alcohol regulations are designed to combat these factors, but need community support.



Working with basic alcohol regulations: Size of venue/capacity

- Large, crowded venues can be a problem for violence and virus transmission.
- Capacity limits historically have been set by Fire Marshall. Learn how they are set and enforced. Do licensees abide by these limits?
- What happens after the pandemic and temporary measures are lifted? Do we need improvement for the future?
- Don't forget festivals and celebrations.



Alcohol regulation: Closing Hours

- Throughout the world, bars are frequently required to close and stop serving alcohol by a certain time...usually by 2 am. The rationale is that the longer a bar is open, the drunker people get.
- CDC's Community Preventive Services Task Force recommends retaining closing hours.
- Many states have "relaxed" closing hours especially in "hospitality districts" to make money from a "vibrant nightlife".
- COVID regulations have either banned alcohol sales or severely restricted hours of operation. Should there be more focus on closing hours in the future?
- Caution: Closing hours that are too early can foster "after hour parties" at private locations with no regulations.

- The Community Preventive Services Task Force (CPSTF) recommends maintaining limits on hours of alcohol sale in on-premises settings, based on sufficient evidence of effectiveness for reducing excessive alcohol consumption and related harms.
(<https://www.thecommunityguide.org/findings/alcohol-excessive-consumption-maintaining-limits-hours-sale>)

Alcohol regulation: Food Service

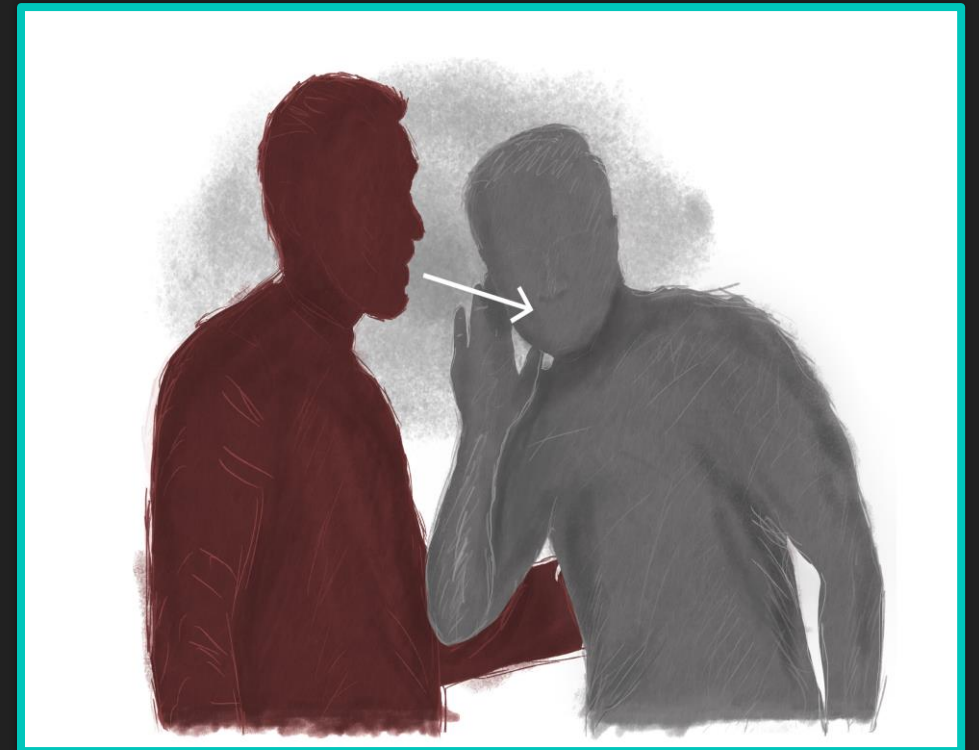
- Food intake reduces intoxicating effects.
- Some states prohibit the sale of some alcohol products without the sale of food. (Oregon's Constitution only allows the sale of spirits in places where "food is cooked and served.")
- Food service—with tables and chairs—can reduce crowding, violence and facilitates "social distancing."
- COVID regs recognize the importance of food accompanying alcohol. How can this be continued after the pandemic?



Alcohol regulation: Entertainment

Leaning in to converse:

- Loud music can facilitate virus transmission when one must shout to converse. Shouting often involves emission of droplets that can spread infection.
- Entertainment can involve other problems such as ear damage and neighborhood disturbances. Should there be more attention to noise levels in the future?
- See article: “Why bars are hot spots for COVID-19 transmission, Scientist explains how concentrations of COVID-19 can build up indoors within hours,” Ramon Padilla, USA TODAY Updated 9:20 a.m. PDT July 18, 2020.



Alcohol regulation: Home Delivery

- Many states have allowed bars and restaurants to deliver alcohol to homes as a way to recoup losses experienced due to mandatory closures.
- Large retailers have filed suit in several states to gain the privilege of inter-state delivery.
- Enforcement is difficult when alcohol delivered to homes and violations have occurred in many states.
- A few states have now developed mandatory training for delivery.
- Nevada has taken a different route by prohibiting out-of-state sales for retailers, brewers and distillers.
- This is an evolving issue and many safeguards are needed.

How to see your state's current regulations for home delivery of alcohol:

If your state has an alcohol beverage control agency in state government, search their website for the answer (often part of "frequently asked questions.") You may need to call a contact person as reading actual regulations can be confusing.

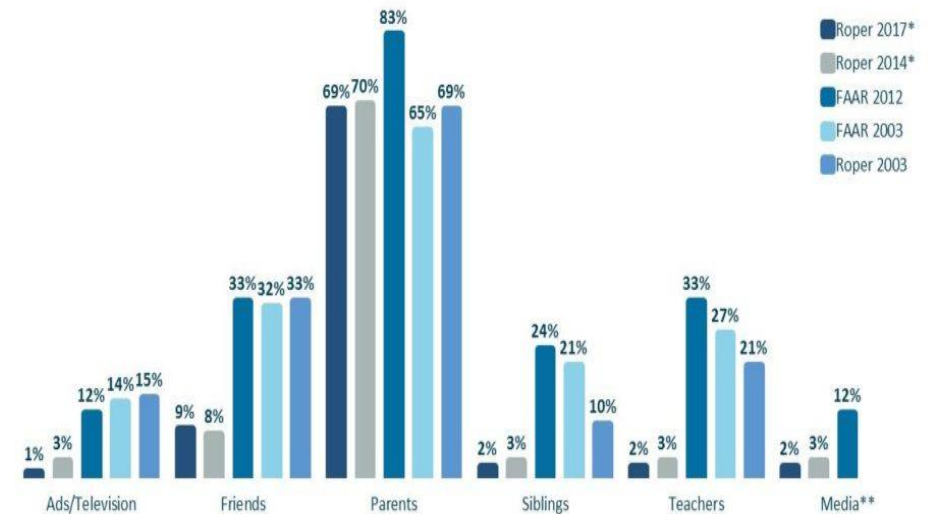
Alcohol Control Boards in the Pacific Southwest Region

- Arizona - [Arizona Department of Liquor Licenses and Control](#)
- California - [California Department of Alcoholic Beverage Control](#)
- Hawaii
 - [Honolulu Liquor Commission](#)
 - [Department of Liquor Control County of Hawaii](#)
 - [Liquor Control Commission County of Kauai](#)
 - [Department of Liquor Control County of Maui](#)

Strategies for continued success

- **Celebrate success!** Give awards, publicize success stories and thank all that worked so hard.
- **Continue strategies that worked in your community.** Many communities focused on parents' major influence over their decision to drink.
- **Provide data from reliable sources about how excessive alcohol use adversely impacts human bodies.** (For example: CDC's "Excessive Alcohol Use and Risks to Women's Health," (www.cdc.gov/alcohol/fact-sheets/womens-health.htm))
- **Work in partnership with enforcement and regulators** to reduce drinking issues such as violence and virus transmission in bars and underage/excessive drinking.

Parents Have the Most Influence on Whether or Not Their Child Will Drink Alcohol



Source: Foundation for Advancing Alcohol Responsibility (10-18 year olds); GfK Roper Youth Report (13-17 year olds in 2014 and 2016; 8-17 in 2003)

*GfK Roper Youth Report the respondents could only select on response for this question.

** Media was not a response category in 2003

Conclusions:

- Communities should educate themselves on their state's alcohol regulatory system. The agency responsible for regulations may have educational resources to help explain things.
- Alcohol regulations are very complicated, so don't be discouraged if you don't understand things. Keep asking and searching.
- Get to know the people responsible for alcohol regulations. Sometimes different agencies do education/training and enforcement.
- Ask how community members can work with regulators to promote health and safety.
- Get acquainted with credible sources of research so you know what strategies are most cost effective. (See next slide)
- Community partnerships and coalitions can be very effective in reducing problems; and, the public health voice is an important element in any public discussion about health and safety.

HELPFUL SOURCES FOR FURTHER INTEREST

Alcohol History

W.J. Rorabaugh, "The Alcoholic Republic, an American Tradition," Oxford University Press, 1979 and "Prohibition, a Concise History," Oxford University Press, 2018. (Dr. Rorabaugh is an alcohol historian at the University of Washington in Seattle.)

Daniel Okrent, "Last Call, The Rise and Fall of Prohibition," Schribner, 2010.

NABCA.org: click on "Policy and Research", click on Webinars, click on any subject of interest (they are free), the original version of "Unraveling the Mystery of Alcohol Regulation in the US" is there.

Alcohol Regulation

Raymond B. Fosdick and Albert L. Scott, "Toward Liquor Control," Center for Alcohol Policy, reprinted and copywritten, 2011.

Carole I. Jurkiewicz and Murphy J. Painter, "Social and Economic Control of Alcohol," The 21st Amendment in the 21st Century," Public Administration and Public Policy series, CRC Press, 2008.

Alcohol Research

Thomas Babor et al, "Alcohol, No Ordinary Commodity, Research and Public Policy", Second Edition, Oxford University Press, 2010. (See pp.243-248 for rating of various alcohol policies.)

The Community Preventive Services Task Force (CPSTF) is sponsored by the CDC and "provides evidence-based findings and recommendations about community preventive services, programs, and other interventions aimed at improving population health." Alcohol related items can be found at

<https://www.thecommunityguide.org/search/alcohol#topic=7604&page=1>

Roland Zullo et al, "The Fiscal and Social Effects of State Alcohol Control Systems." University of Michigan, May 2013.

Timothy S. Naimi et al, A New Scale of the U.S. Alcohol Policy Environment and Its Relationship to Binge Drinking. *American Journal of Preventive Medicine.*, January 2014.

**www.healthyalcoholmarket.com has free resources on regulation.
Contact Pamela Erickson at pam@pamaction.com.**



Website has:

- Monthly newsletter, educational pieces, PowerPoint presentations from conferences. (These are free!)
- Issue Briefs for 2020 has simple explanations of alcohol regulatory issues as well as citations for research and more information.
- Legal expert reports in major US cases are available to help attorneys understand regulatory purposes.

Post-Webinar Feedback

Please click on the link in the chat to complete a very brief online feedback form!

Thank you!



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Call us toll-free: 1-833-9SW-PTTC

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