

**NEBRASKA ALCOPOPS/FLAVORED ALCOHOLIC BEVERAGES
RESOLUTION OF SUPPORT**

IN THE MATTER OF examination of problems related to underage alcohol use and the products known as flavored alcoholic beverages or alcopops.

WHEREAS, flavored alcoholic beverages or alcopops are products known as starter drinks, created for and marketed to young people in Nebraska. Alcopops are sweet, fruity or soda pop flavored alcoholic drinks that are particularly popular among 14-18 year old girls, and

WHEREAS, the American Medical Association found through nationwide polls released in December 2004 that approximately one-third of teen girls have tried alcopops, and one out of six have done so in the past six months. Further, more teen girls had drunk alcopops in the past six months than teen boys (31% versus 19%), and

WHEREAS, 2005 Monitoring the Future data shows that 75% of current eighth-grade drinkers had an alcopop in the past month, compared to 70% of tenth-grade drinkers, and 65% of twelfth-grade drinkers, and

WHEREAS, the current Nebraska statute clearly defines alcopops as distilled spirits, and

WHEREAS, independent research indicates that awareness of alcohol advertising and marketing has an impact on the beliefs and expectations of children and youth regarding alcohol use, and

WHEREAS, classifying alcopops as beer allows the alcohol industry to reach more young people through advertising practices on television. Further, classifying the products as beer increases their accessibility to young people throughout the state as beer products can be sold at 1,535 off-premise locations and spirits can be sold at 718 off-premise locations, and

WHEREAS, permitting the products to be classified as beer allows the alcohol industry to receive preferential regulatory treatment, including a tax benefit – the taxes on beer amount to \$.31 per gallon compared with \$3.75 per gallon assessed to distilled spirits, an amount 12 times higher than the beer tax rate, and

WHEREAS, the Nebraska Liquor Control Commission, through a July 31, 2006, decision to reclassify alcopops as beer in Nebraska, has allowed the alcohol industry to continue to profit at the expense of Nebraska's children.

WHEREAS, the July 2006 decision by the Liquor Control Commission violates Nebraska statute 53-103(2) that states, "Spirits means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin, or other spirituous liquors and such liquors when rectified, blended, or otherwise mixed with alcohol or other substances."

FURTHER, the Liquor Control Commission has acted beyond its authority and is allowing the alcohol industry to continue to violate relevant provisions of Nebraska law.

THEREFORE, we/I support efforts to reverse the July 31, 2006 decision by the Nebraska Liquor Control Commission, a decision that jeopardizes the health, safety and welfare of our young people and costs Nebraskans millions of dollars each year in lost tax revenue. We believe the Commission's decision allows the alcohol industry preferential regulatory treatment while targeting this state's most precious resource – our children.

Signature: _____

John D. Fagot

Printed Name: _____

John D. Fagot

Date: _____

December 13, 2006

Representing: _____

Lexington City Council

Organization/Agency or Self

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