



Adoption of the city of Spokane's Request to Update the Banned Products List in the Downtown Alcohol Impact Area

Date: July 17, 2013

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Licensing and Regulation Division

Problem or Opportunity

The purpose of this issue paper is to facilitate a decision by the Board regarding the city of Spokane's request to amend the Banned Products List in the Downtown Alcohol Impact Area. This amendment adds two new product lines identified as problematic by business and law enforcement. (See Attachment A)

The city continues to work with Odom and King Distributing to limit these types of products in the Alcohol Impact Area. Amending the banned product list to include the proposed products will assist all our partners in improving the quality of life in downtown Spokane.

Background

April 7, 2010, at the request of the city of Spokane, the Board granted recognition of the Downtown Alcohol Impact Area. The resolution included a listing of low-cost/high alcohol content beverages that would no longer be available for sale within the geographical bounds of the alcohol impact area. Banned products are an essential aspect of the mandatory alcohol impact area recognition, having identified alcoholic beverages that contribute to problematic public safety concerns. The city has requested an expansion of their existing banned products list in accordance with current rule WAC 314-12-215(3)(e).

This rule provides local authorities with the ability to ascertain the impact of certain low-price high-alcohol products. The local authority may request the addition of products; *"a local authority may also restrict a product that is significantly materially similar to products already restricted in its own alcohol impact area. A local authority must demonstrate to the board in writing, the material similarities and need for product inclusion, but the board will not require a local authority to submit extensive documented evidence. . . ."*

Licensees and other interested parties received notice by US Mail soliciting their input. Stakeholders were notified via email soliciting their input. The public comment period ended June 21, 2013. The Board received no public comment regarding the city's request.

Stakeholders and licensees impacted by this request will be notified within 10 working days following the Board decision regarding the city's request.



Recommendations

Staff recommends adoption of the city's request to modify their banned product list.

Benefits	Drawbacks
<ul style="list-style-type: none"> • There can be more consistent enforcement activities • Distributors and retailers can more easily comply with the amended list • Monitoring of consumer activities will be more productive • Assist the city in maximizing available resources 	<ul style="list-style-type: none"> • We may receive objections related to the negative economic impact • Suppliers may object to their products being added to the list

Expected Results

The Board's endorsement of this request will help maximize enforcement efforts, and improve the health and safety of the community.

Estimated Cost and Timeframe

Date	Activity	Current Status
May 8, 2013	Present city's request for amending the banned product list to Executive Management Team	Completed
May 22, 2013	Present city's request for amending the banned product list to the Board	Completed
May 23, 2013	Open public comment period	Completed
June 21, 2013	End of public comment period	Completed
July 10, 2013	Present adoption recommendation issue paper to Executive Management Team for review	Completed
July 17, 2013	Present adoption recommendation resolution to the Board for final action	Pending
July 19, 2013	Distribute notice of Board's action	Pending
August 23, 2013	Effective date of new banned products, if approved	Pending

Funding Source

Administrative funding expense will be absorbed into current appropriation.



Stakeholder Impacts

Identify **internal** stakeholders and get their feedback about how they might be affected.

Stakeholder	Impacts (Political, Resource, Other)
Director's Office	Political
Licensing	Resources
Enforcement	Resources
Human Resources	
Business Enterprise	
Retail	Resource; confirm banned products are removed from retail liquor store(s)
Purchasing	
Distribution Center	
Administrative Services	
Information Technology	
Contracts Office	
Finance	

Identify **external** stakeholders get their feedback about how they might be affected.

Stakeholder	Fiscal and Resource Impacts
Washington State Agencies	N/A
Prevention	Resource
Industry	Resource
Vendors	Resource

Acceptance

We have reviewed this document and approve resources for project definition:

Approved by	Signature	Date
Name Sharon Foster Title Board Chair		7/17/13
Name Ruthann Kurose Title Board Member		7/17/13
Name Chris Marr Title Board Member		7/17/13



* New Products

Attachment A

<u>Manufacturer</u>	<u>Brand Name</u>	<u>ACV</u>
Anheuser Busch Inc	Busch Ice	5.9%
Anheuser Busch Inc	Cobra	5.9%
Anheuser Busch Inc	Hurricane (all products)	5.9% - 12%
Anheuser Busch Inc	King Cobra	5.9%
Anheuser Busch Inc	Natural Ice	5.9%
Anheuser Busch Inc	Natty Daddy	8%
Anheuser-Busch Inc	Bud Light Lime-A-Rita*	8%
Anheuser-Busch Inc	Tilt (all products)	6.6% - 8%
Bacardi	Bacardi+* (all flavors)	8%
City Brewing Co	Hard Wired	6.9%
City Brewing Co*	Earthquake High Gravity	12%
Colt 45*	Blast (all products)	12%
Diageo-Guinness USA	Smirnoff XBT	8%
Drink Four Brewing Co	Drink Four (all products)	10% - 12%
Five Star Brewing Co	High Gravity (all products)	8.1% - 9%
G Heileman Brewing	Colt 45 Ice	6.1%
G Heileman Brewing	Colt 45 Malt Liquor	6.4%
Joseph Schlitz Brewing	Old Milwaukee Ice (all products)	5.9%
Mark Anthony Brands	Mike's Harder Lemonade	8%
MillerCoors	Keystone Ice	5.9%
MillerCoors	Magnum Malt Liquor	5.9%
MillerCoors	Mickey's (all products)	5.6% - 5.8%
MillerCoors	Milwaukee Best Ice	5.9%
MillerCoors	Milwaukee Best Premium Ice	5.9%
MillerCoors	Olde English 800 (all products)	7.5% - 8%
MillerCoors	Special 800 Reserve (all flavors)	6%
MillerCoors	Steel Reserve (all products)	5.5% - 8%

<u>Manufacturer</u>	<u>Brand Name</u>	<u>ACV</u>
Pabst Brewing	Lucky Ice Ale Premium	6.1%
Pabst Brewing Co	Lucky Ice Beer	6.1%
Pabst Brewing Co	Hamm's Ice Brewed Ale	6.1%
Pabst Brewing Co	Hamm's Ice Brewed Beer	6.1%
Pabst Brewing Co	Olympia Ice	6.1%
Pabst Brewing Co	Pabst Ice Ale	5.9%
Pabst Brewing Co	Rainier Ice	5.9%
Pabst Brewing Co	Schlitz High Gravity	8.5%
Pabst Brewing Co	Schlitz Malt Liquor (all products)	5.9%
Plank Road Brewery	Ice House	5.5%
Rock Wall Brewing Co	Dog Bite	10%
Saint Ides Brewing	St. Ide's Liquor and Special Brews (all flavors)	6% - 7.3%
Steel Brewing Co	Sparks (all products)	6% - 8%
Stroh Brewing Co	Bull Ice	8%
Stroh Brewing Co	Red Bull Malt Liquor	7%
United Brands Co	Joose (all products)	9.9%
United Brands Co	Stack High Gravity Lager	12%
Vampt Beverage Corp	Vampt Midnight Warrior	8%
Vampt Beverage Corp	Vampt Smooth Talker	8%