



# Washington State Liquor Control Board

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## **A RESOLUTION OF THE WASHINGTON STATE LIQUOR CONTROL BOARD RECOGNIZING THE CITY OF SPOKANE'S REQUEST TO AMEND BANNED PRODUCTS LIST in the EAST CENTRAL MANDATORY ALCOHOL IMPACT AREA Number BR- 02-2013**

**Whereas**, the Board recognizes its statutory mandate to protect the public's welfare, health, peace, and safety and its responsibility to work with communities to help mitigate the negative impacts of chronic public inebriation associated with the sale of alcohol by the businesses it regulates.

**Whereas**, in recognition of this mandate, in 1999, the Liquor Control Board adopted the Alcohol Impact Area rules, Washington Administrative Code (WAC) 314-12-210 through WAC 314-12-225. These rules establish a framework for the Liquor Control Board, working in partnership with local government and community organizations, to mitigate negative impacts that result from the presence of chronic public inebriation. Preventing and reducing the harm caused by alcohol consumption requires a comprehensive, multi-dimensional response by neighborhood residents, businesses, and government agencies, including coordinated treatment services, health care, housing services and vocational training. Mandatory restrictions on alcohol sales imposed by the Board are a key element in the effort to mitigate the negative impacts of chronic public inebriation. These rules were amended and adopted under WSR 10-19-065 effective September 15, 2010 to clarify processes for local governments.

**Whereas**, WAC 314-12-215 sets forth the requirements that the government subdivision must satisfy in order for the Liquor Control Board to recognize the proposed Alcohol Impact Areas.

**Whereas**, the city of Spokane's request meets the requirements for Board recognition outlined in WAC 314-12-215(3) by including findings of fact pertaining to the presence of chronic public inebriation.

**Whereas**, the city of Spokane's request satisfies the requirements of WAC 314-12-215(4) that the city tried to alleviate the problem through voluntary efforts in the alcohol impact area for at least six months. The city's efforts were unsuccessful in obtaining the voluntary cooperation of all the licensees with the off-premises alcohol sales privilege.

**Whereas**, the city of Spokane's request meets the requirements for Board recognition outlined in WAC 314-12-215(7)(d) requiring a minimum of thirty calendar days following Board recognition of a modified prohibited products list.

**Whereas**, the Board adopted resolution BR-02-2012 August 1, 2012 recognizing the city of Spokane's mandatory East Central Alcohol Impact Area.

**Whereas**, the city of Spokane requests that the Liquor Control Board impose mandatory restrictions on the off-premises sale of alcohol by licensees in the East Central Alcohol Impact Area. Specifically, the city requests no sales of certain low cost/high alcohol content malt beverage products identified by a banned products list.

**Whereas**, in reaching our decision, the Board has duly considered the city of Spokane's March 4, 2013, request to modify the banned product list within the East Central Alcohol Impact Area, testimony provided at the July 17, 2013 public meeting, written comments received from stakeholders and the public regarding Spokane's request, and LCB staff presentation at a public work session July 17, 2013.

**Now therefore, be it resolved,**

Section 1 The Board resolves to impose the following amended mandatory restrictions requested by the city of Spokane, to take effect August 23, 2013.

**No sales of the malt beverage products identified on the amended Banned Product List.** All flavors, alcohol content, and container sizes of the following named products are hereby banned from off-premise sale by licensees in the alcohol impact area. **\*New products**

<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	Natty Daddy	8%
Anheuser Busch Inc	Natural Ice	5.9%
Anheuser-Busch Inc	Bud Light Lime-A-Rita*	8%
Anheuser-Busch Inc	Tilt (all products)	6.6% - 8%
Bacardi	Bacardi+ (all products)	8%
Charge Beverages Corp	Core (all products)	12%
City Brewing Co	Earthquake (all products)	8.1%-12%
City Brewing Co	Hard Wired	6.9%
Colt 45	Blast (all products)	12%
Diageo-Guinness USA	Smirnoff XBT	8%
Drink Four Brewing Co	Drink Four (all products)	10%-12%

<u>Manufacturer</u>	<u>Brand Name</u>	<u>ACV</u>
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%
JW Distilling Co	Jeremiah Weed Lemonade	5.8%
Mark Anthony Brands	Mike's Harder Lemonade	8%
Mark Anthony Brands	Mike's Harder Punch	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%



<u>Manufacturer</u>	<u>Brand Name</u>	<u>ACV</u>
MillerCoors	Steel Reserve (all products)	5.5% - 8%
Pabst Brewing	Lucky Ice Ale Premium	6.1%
Pabst Brewing	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%
Rock Wall Brewing Co	Dog Bite	10%


<u>Manufacturer</u>	<u>Brand Name</u>	<u>ACV</u>
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%

The Board resolves that these restrictions are reasonably related to addressing the problem of chronic public inebriation demonstrated to exist in the East Central Alcohol Impact Area.

The Board further resolves that such restrictions are reasonable control measures aimed at mitigating the negative effects of chronic public inebriation and are necessary to augment the city of Spokane's efforts to address such problems within the defined Alcohol Impact Area.

Signed and Dated July 17, 2013

  
Sharon Foster  
Chair

  
Ruthann Kurose  
Board Member

  
Chris Marr  
Board Member