ALCOHOL REGULATION
National Debate and State Implications

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BE THINKING
What can you do to help?

TRENDS
We’ll review trends driving alcohol legislative and regulatory changes

DATA SYSTEMS
We’ll review data collection systems that need improvement

POLICY
We’ll review policies that are reshaping the alcohol marketplace both before, during and likely after the Covid-19 pandemic

COURTS
We’ll review key court cases driving policy changes and how the data systems and the policy changes are interconnected to these cases
Established in 1938
Represent "Control Systems" jurisdictions with direct role in sale cycle (wholesale and/or retail)
Not an advocacy or lobbying organization
Not a beverage alcohol industry organization
CONTROL SYSTEMS IN THE UNITED STATES

- Alabama
- Iowa
- Idaho
- Maine
- Maryland (Montgomery County)
- Michigan
- Mississippi
- Montana
- New Hampshire
- North Carolina
- Pennsylvania
- Ohio
- Oregon
- Utah
- Vermont
- Virginia
- West Virginia
- Wyoming
All Jurisdictions Achieve Objectives by:

- License everyone who sells alcohol
- Enforce laws to reduce underage and excessive drinking
- Regulate days/hours of sale, location of premises, and density of outlets
- Require products to flow through a 3-tier system
THREE FACTORS
THREE PRIMARY FACTORS DRIVING LEGISLATIVE AND REGULATORY TRENDS

PUBLIC HEALTH CRISIS

E-COMMERCE

FEDERAL COURTS
PUBLIC HEALTH CRISIS

The Covid-19 pandemic has made sweeping and rapid changes to alcohol policies.
Covid-19 & Alcohol: A Bidirectional Relationship

COVID-19

ALCOHOL

HEALTH OUTCOMES

COMMUNITY TRANSMISSION
E-COMMERCE

Consumer demands for convenience are driving direct-to-consumer market shifts
3 Tier System

The Basics

PRODUCER

WHOLESALER

RETAILER
Home Delivery

3rd Party Delivery and Online Platforms

The Basics

PRODUCER

WHOLESALE

RETAILER

Delivering to the Home
DTC Challenges

- How to ensure proper alcohol excise (and sales) taxes are collected
- How to verify all DTC operators are licensed (common carriers, fulfillment centers, 3rd party drivers)
- How to track tainted products when needed
- How to ensure age verification is happening and determine who is responsible if illegal sale occurs
- What type of enforcement efforts are possible in this new market (time, resources, best practices)
FEDERAL COURTS

Challenges to state alcohol regulations demand improved data collection
Alcohol in the United States Constitution

21ST AMENDMENT
Each State has leeway to enact the measures that its citizens believe are appropriate to address the public health and safety effects of alcohol use and to serve other legitimate interests, *but it does not license the States to adopt protectionist measures with no demonstrable connection to those interests.*

https://supreme.justia.com/cases/federal/us/588/18-96/
HOW YOU CAN HELP

Brainstorming Session

1. REPORTER
   Identify person who will report back to the full group once reconvened

2. IDEAS
   Strategize ways in which you can assist within the context of the 3 factors driving trends

3. OPPORTUNITIES
   Describe opportunities that position WA uniquely to make headway on the three factors driving trends

4. BARRIERS
   Explore potential barriers to the opportunities that may impact progress to address the three factors driving trends
WHAT PARTNERS ARE DOING TO HELP

We can learn a lot from one another

TRACK

SUPPORT

COLLABORATE
"We are at a critical juncture with alcohol regulatory enforcement"

Over the last two decades, national partners have succeeded in creating data collection, standardization, and sharing protocols for law enforcement agencies. These national guidelines paved the way for better systems for data collection and coordination between enforcement and other agency partners at the federal, state and local levels, and we know this can be done for ALE as well.
Data collection is a critical nexus between alcohol regulation and public health.
Big Picture of Data

- Allocation of Resources
- Effective Decision Making
- Consumption of Alcohol Needs to be a Well Regulated Environment
- Interconnection Between Alcohol Use and Crime
Enforcement Capacity Challenges

Outlet to Officer Ratio

Increased Access and Availability

Age Compliance Checks for Home Delivery

Resources
What does R.A.B.I.T stand for?

Resource Allocation Based on an Intelligence toolkit
North Carolina Alcohol Data Dashboard

Alcohol Data Dashboard

Data Sources
1. Emergency Department Data: North Carolina Disease Event Tracking and Epidemiologic Tool (NCDETT) [Link]
2. Death Data: NC State Center for Health Statistics [Link]
3. Alcohol Survey Data: NC Alcohol and Beverage Control Commission [Link]

Maps

Alcohol-Related Deaths
3,995 NC Residents in 2017

Emergency Department Visits
30,872 alcohol intoxication ED visits in 2017

County Data

PILLARS OF ALCOHOL REGULATION

- Protect public health & safety
- Ensure efficient tax/revenue collections
- Eliminate unfair or illegal marketing practices
- Balance interests
THANK YOU!

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