

# The American Issue

January—March, 2009

March 23, 2009

## Way out West

Rev. James B. Butler,  
Executive Director, California Council on Alcohol Problems

Events in California are often harbingers of economic, political and social developments across our nation. We may not always like it, but people pay attention to what happens in California, and then follow our lead. This means that we are faced with both unique opportunities and responsibilities – and we take them seriously.

In 2008, the California Council on Alcohol Problems celebrated two major accomplishments related to “alcopops” (colorful, fruit-flavored, alcoholic beverages that appeal especially to teenage girls). In each instance we worked with a coalition of organizations concerned with the problems “alcopops” caused among underage drinkers.

Our first success was at the Board of Equalization, where it was our contention that “alcopops” contain distilled spirits, and, thus, according to California State law, should be taxed as distilled spirits not beer. The efforts of this coalition, including testimony, petitions, letters of support, and research material resulted in the California Board of Equalization deciding to properly tax these products according to State law. In other words, the tax on “alcopops” went from 20 cents to \$3.30 per gallon. Without surprise, the alcohol industry worked very hard to defeat our efforts, including bringing lawyers from Washington D.C. to testify that there are no distilled spirits in “alcopops” and arguing that federal law should supersede state law in determining the class of these beverages.

Since that decision, the alcohol industry filed a suit against the Board of Equalization challenging their authority to determine the tax rate on “alcopops”. That suit has been dismissed, and now the industry claims to have re-formulated 6,500 of their “alcopop” products, removing all distilled spirits. It is interesting that the alcohol industry first argued that there were no distilled spirits, but now feel the need to change the formulas in order to claim that because of these new formulas, their products are not required to pay the higher tax rate. Testing of their claims will be finished by November of 2009, and we expect that this action by the alcohol industry will reveal their disingenuous nature. Perhaps, it will even be understood as an attempt to perpetrate a tax fraud on California. If these products contain distilled spirits, in spite of the new formulae, it will be clearly shown that this industry cannot be trusted, and will strengthen our position in the future.

Our second accomplishment related to “alcopops” involved a bill that will require these products to have a distinctive label stating “Contains Alcohol” and the percentage. This is the first time that California has required a distinct label on an alcoholic beverage, and it is our hope that the alcohol industry will simply include this additional information on their products in every state. This was a hard fought battle, with the usual compromises. However, again the strength and efforts of our coalition prevailed against a bevy of beverage makers. But, here too, our success is tempered. Using the same claims of “new formulae” the industry is arguing that the label bill does not apply to their product. This too, we hope, will be resolved before the end of 2009. If the result is the one we expect, then these labels will appear in California, and perhaps some other states as well.

(WAY OUT WEST CONTINUED FROM PAGE 1)

Further, the rhetoric of the alcohol manufactures expressing concern about underage drinking will be exposed as nothing more than empty words, as they strive to turn our children into their customers.

Even as we await the resolutions of these 2008 actions, in 2009 there is pending legislation that is attracting the attention of people across the nation. There is a bill that will legalize marijuana (AB 390), and we expect another to be introduced that will legalize internet poker. If either of these passes, you can be certain that they will impact other states, and eventually our nation. They will be used as model legislation in order to legalize them in your state as well. In fact, it may be argued that your state will need to pass similar legislation in order to be competitive with California.

Likewise, there are bills that will impose a surcharge on alcohol on a per drink basis. This will not only help meet the economic and social costs of alcohol in our state, and thus reduce our budget deficit, but will also help deter underage drinking. Since many states face similar economic challenges, we are expecting that the alcohol industry will mount a furious attack on our efforts to pass these bills.

It is important that we succeed in our efforts regarding alcohol, other drugs and gambling, not just for California, but for the rest of the nation. In order to achieve that success we will be utilizing some of the lessons learned from our other battles with the alcohol industry.

1. Because they have more money, we need more people. This is the strength of a broad coalition. We find groups that will be able to work with us on each piece of legislation or regulatory action. Some groups can work with us on a number of issues, while others may only be involved with one. Either way, there truly is strength in numbers.
2. Regardless of the number of allies you might have on a particular issue, if you are standing against the expansion, promotion and economic success of the alcohol industry, you are in the right. Consequently, we cannot afford to be silenced. We may not win every battle, but our presence and voice is itself a victory. Without our opposition, there might not be any opposition at all, and the industry would then wield even more power, and create more personal and societal damage. We can never surrender to the self-interest of the alcohol industry.
3. We are the ones that can both define and claim victory. While speaking with a staffer for the California State Assembly regarding the “alcopops” decisions and bill, he asked, “When will you guys claim victory?” When I answered that this was still in the courts, he said, “You have dragged the alcohol industry through Hell for two years. That is a victory!” We need to recognize, be reminded and remind others that victory is not always winning, but rather it comes every time we show-up and force the industry to respond to the voice and concern of people who care about the terrible damages and costs caused by alcohol abuse and addiction.
4. Time really is on our side. I believe that right will eventually prevail, and all that is necessary is that we persist in fighting the good fight, keeping the faith, and enduring in our challenge to resist the efforts of the alcohol industry to profit at the expense of our families, friends and communities.

Way out west, things are happening that will affect the rest of our nation for either good or bad. We are doing all that we can to meet the challenges before us. We can use your prayers.

# CESAR *FAX* →

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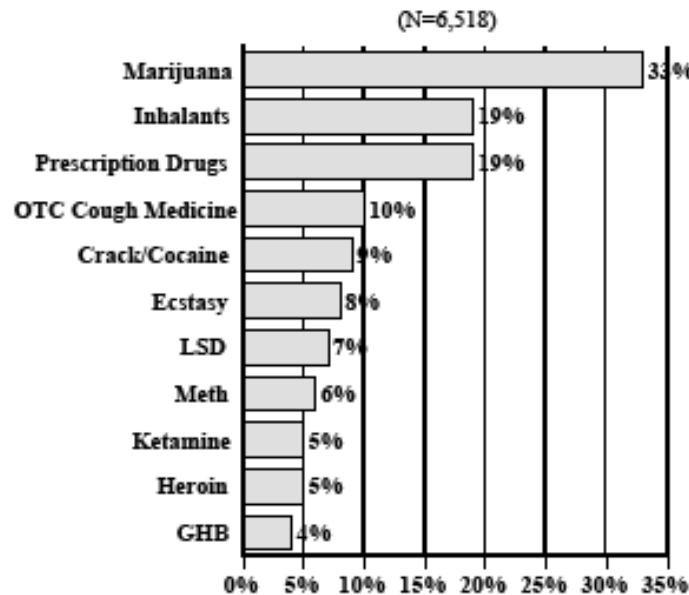
**A Weekly FAX from the Center for Substance Abuse Research**

**University of Maryland, College Park**

## *Marijuana, Inhalants, and Prescription Drugs Are Top Three Substances Abused by Teens*

More teens report abusing prescription drugs and inhalants than any illicit drug except marijuana, according to data from the recently released Partnership Attitude Tracking Study (PATS). Marijuana continues to be the most prevalent drug used among this population, with nearly one-third of teens reporting having ever tried marijuana in their lifetime. The next two most prevalent substances abused, however, are substances that are not illegal when used as directed, and are often readily available in teens' households. Nearly one in five (an estimated 4.7 million) teens have ever abused inhalants and the same number report abusing prescription drugs. In addition, 10% of teens (an estimated 2.5 million) have ever abused over-the-counter cough medicines—approximately the same percentage who have ever used crack/cocaine or ecstasy (see figure below). Perceived risk and availability may help explain the prevalence of prescription drug abuse—41% of teens thought that prescription drugs are much safer to use than illegal drugs and 61% reported that prescription drugs are easier to get than illegal drugs (data not shown).

**Percentage of U.S. Teens (Grades 7 to 12) Reporting Ever Trying Drugs, 2008**



NOTES: Abuse of inhalants and OTC cough medicine is defined as using the substance to get high. Abuse of prescription drugs is defined as use without a doctor's prescription. The margin of error is +/- 1.3%.

SOURCE: Adapted by CESAR from The Partnership for a Drug-Free America, *The Partnership Attitude Tracking Study (PATS): Teens 2008 Report*, 2009. Available online at [http://www.drugfree.org/Files/full\\_report\\_teens\\_2008](http://www.drugfree.org/Files/full_report_teens_2008). For more information, contact the Partnership at 212-922-1560.

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U.S. Department of Health and Human Services National Institutes of Health NIH News  
National Institute on Alcohol Abuse and Alcoholism (NIAAA) <http://www.niaaa.nih.gov>

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Contact: NIAAA Press Office, 301-443-3860, [NIAAAPressOffice@mail.niaaa.gov](mailto:NIAAAPressOffice@mail.niaaa.gov)

### **Alcohol “Flush” Signals Increased Cancer Risk Among East Asians**

Many people of East Asian descent possess an enzyme deficiency that causes their skin to redden, or flush, when they drink alcohol. Scientists from the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and Japan's Kurihama Alcohol Center now caution that heavy alcohol consumption greatly increases the risk for esophageal cancer among such individuals, who comprise about 8 percent of the world's population. Their review of recent research on this topic appears in the March 24, 2009 issue of PLoS Medicine. NIAAA is part of the National Institutes of Health.

"It is very important for clinicians who treat patients of East Asian descent to be aware of the risk of esophageal cancer from alcohol consumption in their patients who exhibit the alcohol flushing response, so they can counsel them about limiting their drinking," says NIAAA Acting Director Kenneth R. Warren, Ph.D.

First author Philip J. Brooks, Ph.D., of NIAAA's Laboratory of Neurogenetics, and his colleagues note that a clinician can reliably determine whether a patient is at risk simply by asking about previous episodes of facial flushing after drinking alcohol. Considered from this perspective, the authors point out, the flushing response is a clinically useful biomarker of genetic susceptibility to esophageal cancer risk from alcohol.

Dr. Brooks cites the high mortality from esophageal cancer and the large number of individuals with the deficient enzyme, known as aldehyde dehydrogenase 2 (ALDH2).

"Cancer of the esophagus is particularly deadly, with five-year survival rates ranging from 12 to 31 percent throughout the world. And we estimate that at least 540 million people have this alcohol-related increased risk for esophageal cancer," he notes. "We hope that, by raising awareness of this important public health problem, affected individuals who drink will reduce their cancer risk by limiting their alcohol consumption."

Dr. Brooks and his colleagues explain that ALDH2 plays an important role in alcohol metabolism. When alcohol is consumed, it is first metabolized into acetaldehyde, a chemical similar to formaldehyde, which causes DNA damage and has other cancer-promoting effects. ALDH2 is the main enzyme responsible for breaking down acetaldehyde into acetate, a non-toxic metabolite in the body.

East Asians have two main variants of the ALDH2 gene -- one that produces an enzyme with normal activity, and another that results in an inactive enzyme. When individuals with the inactive variant drink alcohol, acetaldehyde accumulates in the body, resulting in facial flushing, nausea, and rapid heartbeat. For people with two copies of the inactive variant, these symptoms are so severe that they can drink very little alcohol. However, individuals with only one copy of the inactive variant can become tolerant to the unpleasant effects of acetaldehyde, which puts them at risk for alcohol-related esophageal cancer.

A series of epidemiologic studies by Akira Yokoyama and his colleagues in Japan have shown that individuals with one copy of the inactive variant are about 6-10 times more likely to develop esophageal cancer than are individuals with the fully active ALDH2 enzyme who drink comparable amounts of alcohol. Notably, these studies showed that individuals with the inactive variant who drink the equivalent of 33 or more U.S. standard drinks per week have a 89-fold increased risk of esophageal cancer compared to non-drinkers. Dr. Yokoyama is a co-author of the latest report.

The researchers add that many ALDH2-deficient university students may have their first experiences with heavy drinking while in college. Therefore, it is particularly important for university health professionals to be aware of the relationship between ALDH2-deficiency, facial flushing, and alcohol-related cancer risk. Informing ALDH2-deficient young people of their risk of esophageal cancer from alcohol drinking represents a valuable and cost-effective opportunity for cancer prevention.

The National Institute on Alcohol Abuse and Alcoholism, part of the National Institutes of Health, is the primary U.S. agency for conducting and supporting research on the causes, consequences, prevention, and treatment of alcohol abuse, alcoholism, and alcohol problems. NIAAA also disseminates research findings to general, professional, and academic audiences. Additional alcohol research information and publications are available at [www.niaaa.nih.gov](http://www.niaaa.nih.gov).

The National Institutes of Health (NIH) — *The Nation's Medical Research Agency* — includes 27 Institutes and Centers and is a component of the U. S. Department of Health and Human Services. It is the primary Federal agency for conducting and supporting basic, clinical, and translational medical research, and it investigates the causes, treatments, and cures for both common and rare diseases. For more information about NIH and its programs, visit <http://www.nih.gov>.

**Reference:** Brooks PJ, Enoch M-A, Goldman D, Li T-K, and Yokoyama A. (2009) The Alcohol Flushing Response: An Unrecognized Risk Factor for Esophageal Cancer from Alcohol Consumption. PLoS Medicine. Vol. 6 No. 3: e1000050. doi:10.1371/journal.pmed.1000050 <http://www.plos.org/press/plme-06-03-brooks.pdf>

## **Michigan's Success**

**Dr. D.L. Dan Ireland, Executive Director of ACAP**

Thanks to the good work of Rev. Bill Amundsen and the Michigan Council on Alcohol Problems, the Michigan State Legislature defeated a legislative effort to extend hours for sales of alcoholic beverages. Extending sales Monday-Saturday by two hours per day and begin Sunday sales at 7:00 A.M. rather than twelve noon. The persistent research and push of MICAP certainly made a difference. The faith community and the good people of Michigan are indebted to and certainly blessed with MICAP. Congratulations to Bill Amundsen and the MICAP organization.

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**From: D.L. Dan Ireland, Executive Director:**

**Taken from Marin Institute 12/21/08 and Join Together (12/18/08)**

In a major victory for public health and safety, MillerCoors has agreed to a landmark settlement with 13 state attorneys general and the city attorney of San Francisco, who were investigating the company over its alcoholic energy drink, Sparks. MillerCoors will stop producing and selling caffeinated beverages such as Sparks, a popular orange-flavored alcopop made with stimulants. MillerCoors also agreed to end misleading and youth-oriented marketing tactics. Combining caffeine with alcohol has been linked to various public-health risks, especially among underage drinkers. In 2007, Marin Institute released the report, *Alcohol Energy Drinks, and Youth: A Dangerous Mix*. (Marin Institute)

"Attorneys general from around the country are gravely concerned about premixed alcoholic energy drinks because these products are dangerous and look and taste like popular nonalcoholic energy drinks," said Maine Attorney General Steve Rowe. "They're popular with young people who wrongly believe that the caffeine will counteract the intoxicating effects of the alcohol."

Critics condemn youth-oriented Sparks marketing materials implying that alcoholic energy drinks allow users to stay awake longer and drink more. "We're thrilled that MillerCoors finally got the message that they were dealing with a public-health hazard," said Pete Schulberg, communications director for the Oregon Partnership, a community-based antidrug coalition. "High caffeine with high alcohol content and the fact that these products are marketing to young people makes for a dangerous combination."

The company also agreed to end some marketing strategies that the AGs said appeared to be aimed at underage audiences, including content on the Sparks website, the use of "plus and minus" symbols signifying energy, and an affiliation with an "air guitar" performer. David Rosenbloom, director of Join Together, said the settlement's marketing reforms are just as important as the product's reformulation.

"Removing caffeine and other stimulants from Sparks is an important step for public health because it removes a significant risk associated with the product," said Rosenbloom. "We hope that this settlement will really lead to the end of the company's efforts to sell alcopops to underage audiences with youth-oriented marketing strategies."

Steve Gardner, director of litigation for the Center for Science in the Public Interest (CSPI) -- which sued MillerCoors earlier this year over Sparks -- said that today's settlement nearly finishes off the product category. "Now that Anheuser-Busch and MillerCoors have each agreed separately to discontinue caffeinated alcoholic drinks, this entire niche of products is all but shut down," he said.

Gardner called on the remaining, smaller companies producing caffeinated alcohol beverages to quickly follow suit. "It was a bad idea that never should have gotten as far as it did -- adding caffeine to sweetened, high-alcohol-content malt beverages and marketing them to young people via word-of-mouth and infantile web sites," said Gardner.

Previously, Anheuser-Busch reached a settlement with CSPI and state attorneys general in which it agreed to stop producing and marketing alcoholic energy drinks. (Join Together, 12/18/08)

ACAP is appreciative of the dedicated efforts of the 13 state Attorneys General, the Center for Science in the Public Interest (CSPI) and various state affiliates of the American Council on Alcohol Problems for a concerted effort to urge MillerCoors and Anheuser-Busch to reach this important decision.

**American Council on Alcohol Problems**  
**2376 Lakeside Drive**  
**Birmingham, AL 35244**

**TO:**

**PURPOSE:** American Council on Alcohol Problems is the channel of cooperation through which state temperance organizations, national religious bodies and similar concerned groups and individuals in America can unite to deal with the problems caused by alcohol and other drugs.

ACAP provides the forum and the mechanism through which concerned persons can find common ground on alcohol and other drug problems and address these issues with a united voice. It is the successor organization to the American Temperance League and the Anti-Saloon League established in 1895. Membership of ACAP presently is made up of 30 local temperance organizations, 22 national Christian denominations, and other fraternal organizations that support ACAP's philosophy of abstinence.

(ACAP is classified by the IRS as a 501 (c)(3) tax-deductible charity.)

Checks should be made payable to:

**American Council on Alcohol Problems**

Mail to: 2376 Lakeside Drive, Birmingham, AL 35244

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**Join Together Online / <http://www.jointogether.org>**

**One Drink a Day for Women Raises Risk of Cancers 2/26/09**

New research suggests that middle-aged women who imbibe even one alcoholic drink a day have greater risks for developing breast, liver and rectum cancer, Health Day News reported Feb. 24.

Naomi Allen and colleagues from the University of Oxford analyzed data from more than 1.2 million middle-aged British women, through use of cancer records in the National Health Service Central Registries. Most women in the study consumed at least one drink each day, and 68,755 of the women developed cancer during the seven year follow-up period.

Researchers found that moderate drinking was linked to 13 percent of breast, liver, rectum, and upper respiratory/digestive tract cancers for women. Overall, each additional drink increased the cancer risks, and the type of alcohol did not seem to matter.

"Because a high proportion of women drink low amounts of alcohol regularly and because most of the increased risk is for breast cancer, the risk among women associated with drinking alcohol is of particular importance," said lead researcher Naomi Allen.

For women who drank and smoke, the risk of developing mouth and throat cancers increased also.

The study was published online in Feb. 24, 2009 in the Journal of the National Cancer Institute.

**N.M. Seeks Standards for Drugged Driving 2/26/09**

States have universally adopted a .08-percent blood-alcohol level as presumption of drunk driving, but no such standard exists for driving under the influence of other drugs. New Mexico, however, is seeking to establish guidelines that other states could emulate.

The Associated Press reported Feb. 19 that New Mexico Gov. Bill Richardson is backing a plan to establish blood-concentration levels for five illicit drugs as a legal presumption of intoxication. The drugs are marijuana, cocaine, heroin, amphetamine, and methamphetamine.

Supporters said the standards would be especially useful for when drivers mix alcohol and other drugs, since it can be difficult to prosecute offenders if their blood-alcohol level is below .08 percent. In New Mexico, 90 percent of drivers who failed field sobriety tests but had blood-alcohol levels below .08 percent tested positive for marijuana, researchers found. Currently, many states consider any positive test for the presence of illicit drugs per-se evidence of impairment.