

HB
1172

A BILL FOR AN ACT

RELATING TO LIQUOR LAWS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that state law does not
2 fully encompass the changing needs of the craft brewing
3 industry. Responsible consumption of alcohol and consumer
4 awareness of the products they are served remain fundamentally
5 important, and can be maintained while updating liquor laws to
6 better reflect the craft beer industry.

7 The legislature also finds that state law requires tap
8 handles with the name or brand of the draught beer placed on the
9 faucet, spigot, or outlet from where the beer is drawn. This
10 requirement does not account for changes in technology, product
11 line, and consumer interactions with servers. As a matter of
12 practicality, craft beer names are often longer than will fit in
13 the space available on a tap handle. Furthermore, a required
14 tap handle provides no additional assurance of what has been
15 poured when the customer is not seated within view of the
16 draught beer taps. Many brewpubs and taprooms provide a display
17 board on a display screen or blackboard near the tap handles or



1 menus, which provide a greater amount of information for each
2 draught beer available on tap than can be found on a tap handle.
3 Such information allows consumers to make better choices relying
4 on information far beyond what is provided by attachment of a
5 tap handle only.

6 The tap handle requirement is increasingly burdensome for
7 one-time specialty beer products and seasonal offerings, which
8 may be on draught beer taps for a few days or weeks of the year.
9 Because establishments offering craft beer have a more rapid
10 rotation of their offerings, it is more difficult and expensive
11 for craft beer manufacturers to have tap handles for each
12 offering throughout the year.

13 The legislature also finds that under Hawaii law, the
14 county liquor commissions and liquor control commissions are
15 required to adopt rules to address responsible consumption of
16 alcohol. Under these rules, some of the counties have defined
17 stacking to mean having more than two standard servings of
18 drinks before a customer at any one time, although the
19 description of standard serving size varies by county. Concerns
20 have been raised that defining stacking based on the number of
21 drinks, rather than on the total volume served, does not allow



1 breweries, brewpubs, and taprooms to serve small volumes of
2 sample sizes.

3 As part of Hawaii's tourist based economy, visitors will
4 often seek out new breweries and craft beer offerings unique to
5 Hawaii and will often want to try smaller volumes of various
6 beer styles. Servings are often referred to as a flight or
7 sampler selection with four or five beer styles, typically a
8 four to six ounce pour of each. The total volume served in a
9 flight or sampler selection is below the current standard
10 serving size limitations set by the county liquor and liquor
11 control commissions.

12 The purpose of this Act is to:

- 13 (1) Repeal the requirement of a direct attachment of a tap
14 handle, label, notice, placard, or marker on a draught
15 beer faucet, spigot, or outlet; and
- 16 (2) Clarify the definition of stacking and serving size
17 that may be adopted by the county liquor and liquor
18 control commissions.

19 SECTION 2. Section 281-78, Hawaii Revised Statutes, is
20 amended by amending subsection (b) to read as follows:



1 "(b) At no time under any circumstances shall any licensee
2 or its employee:

3 (1) Sell, serve, or furnish any liquor to, or allow the
4 consumption of any liquor by:

5 (A) Any minor;

6 (B) Any person at the time under the influence of
7 liquor;

8 (C) Any person known to the licensee to be addicted
9 to the excessive use of intoxicating liquor; or

10 (D) Any person for consumption in any vehicle that is
11 licensed to travel on public highways;

12 provided that the consumption or sale of liquor to a
13 minor shall not be deemed to be a violation of this
14 subsection if, in making the sale or allowing the
15 consumption of any liquor by a minor, the licensee was
16 misled by the appearance of the minor and the
17 attending circumstances into honestly believing that
18 the minor was of legal age and the licensee acted in
19 good faith; and provided further that it shall be
20 incumbent upon the licensee to prove that the licensee
21 so acted in good faith;



- 1 (2) Permit any liquor to be consumed on the premises of
2 the licensee or on any premises connected therewith,
3 whether there purchased or not, except as permitted by
4 the terms of its license;
- 5 (3) Permit any liquor to be sold or served by any person
6 eighteen to twenty years of age except in licensed
7 establishments where selling or serving the
8 intoxicating liquor is part of the minor's employment,
9 and where there is proper supervision of these minor
10 employees to ensure that the minors shall not consume
11 the intoxicating liquor;
- 12 (4) Permit any liquor to be sold or served by any person
13 below the age of eighteen years upon any licensed
14 premises, except in individually specified licensed
15 establishments found to be otherwise suitable by the
16 liquor commission in which an approved program of job
17 training and employment for dining room waiters and
18 waitresses is being conducted in cooperation with the
19 University of Hawaii, the state community college
20 system, or a federally sponsored personnel development



1 and training program, under arrangements that ensure
2 proper control and supervision of employees;

3 (5) Knowingly permit any person under the influence of
4 liquor or disorderly person to be or remain in or on
5 the licensed premises;

6 (6) Fail to timely prevent or suppress any violent,
7 quarrelsome, disorderly, lewd, immoral, or unlawful
8 conduct of any person on the premises;

9 ~~[(7) Sell any draught beer unless upon the faucet, spigot,~~
10 ~~or outlet wherefrom the beer is drawn there is~~
11 ~~attached a clear and legible notice, placard, or~~
12 ~~marker which in the English language indicates and~~
13 ~~declares the name or brand adopted by the manufacturer~~
14 ~~of the draught beer, so situated as to be clearly~~
15 ~~legible for a distance of at least ten feet from the~~
16 ~~spigot, faucet, or outlet, to a purchaser with normal~~
17 ~~vision.] or~~

18 ~~[(8)]~~ (7) Receive from a person, as payment or as a
19 consideration for liquor, any personal or household
20 goods, including clothing and food, or any implements
21 of trade. Any person violating this paragraph shall



1 be guilty of a misdemeanor and upon conviction shall
2 be punished as provided in section 281-102."

3 SECTION 3. Section 281-78.5, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

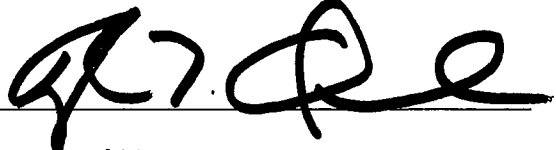
5 "(b) The liquor commission shall adopt rules pursuant to
6 chapter 91 to prohibit specific liquor promotion practices which
7 promote excessive consumption of liquor[-]; provided that any
8 rules adopted by the counties related to the stacking of liquor
9 shall specify that:

- 10 (1) Stacking of beer shall be defined based on a standard
- 11 serving size of total volume; and
- 12 (2) A standard serving size of beer shall be defined as
- 13 not exceeding a total volume of forty-four ounces
- 14 before a customer at any one time."

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2019.

18

INTRODUCED BY: 
JAN 23 2019

H.B. NO. 1172

Report Title:

Liquor Laws; Beer; Tap Handle Requirement; Beer Servings; Stacking

Description:

Repeals requirement that there be attached a clear and legible notice, placard, or marker upon the faucet, spigot, or outlet wherefrom the draught beer is drawn. Requires definitions adopted by the counties related to stacking of beer to refer to a standard serving of total volume and beer standard size servings to be limited to forty-four ounces of total volume before a customer at any one time.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.





DEPARTMENT OF LIQUOR CONTROL
THE COUNTY OF KAUAI

DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

GERALD T. RAPOZO
DIRECTOR

February 5, 2019

Representative Roy M. Takumi, Chair
Representative Linda Ichiyama, Vice Chair
House Committee on Consumer Protection & Commerce

Hearing: Thursday, February 7, 2019
2:00 p.m.; Room 329

Position: Comments on HB 1172 Relating to Liquor Laws

Dear Chair Takumi, Vice Chair Ichiyama and Members:

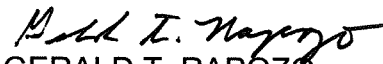
Thank-you for the opportunity to comment on proposed House Bill 1172. The Department of Liquor Control, County of Kauai, fully supports legislation that enables licensees to efficiently operate their businesses and also allows oversight to regulators in addressing concerns of the liquor industry.

The department does not believe that the proposed elimination of the requirement that tap handles be labeled will negatively impact consumers.

We are also in the process of revising our local Rules & Regulations of the Liquor Control Commission which will propose repealing the stacking rule as was done by the Honolulu Liquor Commission.

Thank-you for the opportunity to provide comments on House Bill 1172.

Respectfully Submitted,


GERALD T. RAPOZO
Director



**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

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ANNA C. HIRAI
ASSISTANT ADMINISTRATOR

February 6, 2019

The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
and Members of the Committee on Consumer Protection
& Commerce

House of Representatives
State Capitol, Room 329
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Takumi, Vice Chair Ichiyama, and Members of the Committee:

SUBJECT: House Bill No. 1172
Relating to Liquor Laws

The Liquor Commission, City and County of Honolulu (Commission), appreciates the opportunity to submit testimony providing **comments** on the above-referenced measure. As a matter of principle, the Commission fully supports legislation that enables licensees to more efficiently operate their businesses but also gives reasonable oversight to regulators in addressing the changing nature of the liquor industry.

The Commission does not believe the proposed elimination of the tap handle requirement in this measure will negatively impact consumer confidence or safety in the draught beer they purchase. The Commission's licensees have found creative and accessible ways of providing product selection information to their customers, and the incidence of customer complaints about being served a draught product they did not buy has been virtually zero in the past 20+ years.

As the Commission repealed its stacking rule in 2017, the proposed definitional requirement in Section 3 of the proposed measure will have no impact on our licensees.

Thank you for the opportunity to testify.

Sincerely,


Franklin Don Pacarro, Jr.
Administrator

FDPjr:ACH



February 5, 2019

House Committee on Consumer Protection and Commerce
HB 1172 Relating to Liquor Laws: Taphandles and Stacking
Thursday February 7th at 2 p.m. in Conference Room 329

Re: **IN SUPPORT OF HB1172**

Aloha Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

My name is Garrett W. Marrero, I live in Kula, HI. We have locations on Maui in Lahaina and Kihei, and on Oahu in Waikiki and Kailua. We distribute across the Hawaii, 23 States, and 13 countries. We began in 2005 with 26 team members and have added more than 500 to our team. My wife and I were selected as the National Small Business Persons of the year in 2017 for our work at Maui Brewing Co. I'm writing on behalf of myself and our local family-operated business in support of **HB1172** which modernizes two critical points in current liquor laws; namely Taphandles and "Stacking". The rules are both archaic and over-reaching and need to be brought into line with commonly accepted practices across the United States.

Tap Handles

Maui Brewing locations each have their own identity and the layout and design restrictions dictate different methods to mark taps with the brand name. We either have printed menus listing all beer styles available, or blackboards corresponding to a faucet number and or individually taphandles. Keep in mind that since we brew our own beer, in most of our locations the **ONLY** beer you can buy is Maui Brewing Co. beer. Therefore, the requirement to physically attached a marker indicating the "brand" of beer would be irrelevant. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. We have also been reviewing new technology such as video display boards which would allow us to easily change and frequently update our menu.

Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery. There are substantial costs to order taphandles, our last order was more than \$40,000, this is an enormous strain on resources for an item that often goes missing or is damaged in use. Additionally, more and more on-premise accounts are declining to use taphandles in favor of small generic or artful handles and/or video boards such as untapped or taphunter due to the constant rotation of various beers being served.

I would like to also point out that other beverages such as wine and cider that are now commonly served on draft are not required to have taphandles. Beer is the only beverage alcohol subjected to this requirement by Hawaii rules.

"Stacking"

Handcrafted Ales & Lagers Brewed with Aloha
605 Lipoa Parkway, Kihei, HI 96753
808.213.3002

Having been cited for “practice to promote excessive consumption” due to this rule I have some interesting perspective. On Maui we are limited to 32oz of beer, or 2 standard servings of alcohol. For the record we believe the standard measure of beer to be 16oz as that is the size of the standard American pint glass. We were cited for promoting excessive consumption because we served four 4oz glasses, a total of 16oz. Due to the fact that there were 4 glasses this is viewed as “excessive consumption” however had we served 2 glasses with 32oz of beer that would be acceptable. So just to be clear twice the amount of beer is okay but HALF that amount in taster glasses is a practice to promote overdrinking. The math just doesn’t add up.

I would like to point out that we have been serving samplers for 14 years on Maui and prior administrations including some in the current office have all been well aware of this.

HB1172 calls for a limit to the total volume that can be served but not limiting the number of glasses. This is more in line with current market needs and commonly accepted practices across the country.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. We serve sampler sized glasses that are four 4 ounces per glass; our standard beer flight contains 4 glasses or a total of 16oz.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer as well as select a beer to purchase in a growler or crowler to take home and enjoy safely. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support **HB1172** defining stacking of beer based on a total volume of 44 ounces in front of a customer at any one time.

Thank you for the opportunity to offer these comments in support of the passage of **HB1172**.

Sincerely,



Garrett W. Marrero
CEO/Founder



506 Keawe Street
Honolulu, Hawaii, 96813

T 808-200-2739
troy@realgastropub.com

realgastropub.com

HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: **Support**

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

Craft beer production has been steadily increasing and along with that, greater demand for serving craft beer by REAL gastropub / Bent Tail Brewing Company. Policies related to how beer is served to our customers has a great deal of impact on us and we would like to share our viewpoint on bill HB1172.

Tap Handles

Our establishment provides information to our customers about the beer we have on tap using various methods such as blackboards, video display screen, beer menu, and online app. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards allows us to easily change and frequently update our menu. This legislation allows our business to keep our list of beer offerings current to show what is on each tap in a manner that is visible to customers.

The intent of making sure the beer that is ordered is the beer that is poured is not ensured by having a tap handle indicating the beer offered on tap. The keg that is connected to the tap is not visible to consumers.

As a matter of practicality, the names for some of the craft brews we serve on tap are longer than what can be easily printed on a tap handle. We serve seasonal and sometimes one-time specialty craft beer. Brewery businesses tell us that it is very costly to design and acquire unique tap handles for each beer they produce.

Current tap handle rules are burdensome for businesses like ours that serve beer from smaller independent craft breweries. We have a more rapid rotation with craft beer that we have on tap compared with establishments that keep the same beer selections on tap.

We support the change to statute proposed in HB1172 by removing the requirement for labeling of tap handles placed on spigots and faucets. HB1172 would not require the use of tap handles, and at the same time, does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

Stacking related to serving beer

REAL gastropub / Bent Tail Brewing Company has always embraced the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. HB1172 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries produce several styles that often vary. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of smaller sized tastings of different kinds of beer.

We like to have the flexibility to be able to serve sampler flight sized glasses that are typically 4 to 6 ounces per glass. Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support HB1172 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.
Thank you for the opportunity to provide testimony in support of HB1172.

Sincerely,

Troy Terorotua

Troy Terorotua
Founder & Owner
REAL gastropub / Bent Tail Brewing Co
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Kauai Beer Company

James Guerber
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HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: **Support**

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

The Hawaiian Craft Brewers Guild is a craft brewing trade organization that seeks to promote production of craft beer in Hawaii as independent craft breweries. We are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities. Our members represent the majority of craft beer producers in Hawaii, with members producing 100% of their beer in Hawaii.

My name is Jim Guerber and I am the President of the Kauai Beer Company, located in downtown Lihue, Kauai on Rice Street. We have been in business here since 2006 and began formally serving beer in September 2013. We have been instrumental in the effort to revitalize our downtown and are widely recognized for our contribution in that regard. We are in the process of renovating an adjacent space, which will dramatically enhance our ability to serve a larger customer base, increase production and increase our personnel, which is presently ~60 full and part-time personnel.

Tap Handles

Our brewpub provides information to our customers about the beer we have on tap using (blackboard, video display screen, beer menu). We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards allows us to easily change and frequently update our menu. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.

As a matter of practicality, the names for some of our craft brews are longer than what can be easily printed on a tap handle. We brew seasonal and sometimes one-time

specialty craft beer, making it very costly to design and acquire unique tap handles for each beer that we make. For small craft breweries like ours, we have a more rapid rotation compared with establishments that keep the same beer selection on tap. Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery.

We support the change to statute proposed in HB1172 by removing the requirement for labeling of tap handles placed on spigots and faucets. HB1172 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

Stacking

The Kauai Beer Company embraces the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. HB1172 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

Current stacking law if interpreted to the letter defeats its own goals. The scenario goes something like this....

A customer orders a pint of Lager for example. After a while, he decides he would like to try the IPA. He tells the server and she brings him a pint of IPA. Unfortunately he still has 8 ounces of lager in the original glass and the server is prevented from serving him the new glass until he finishes the previous one. What does he do? Well, like any red blooded American, He chugs what is left in his glass in order to try the new one. So the current law encourages guzzling!

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. We serve sampler flight sized glasses that are typically 4 ounces per glass. Even though we have 8 beers on tap, we can only serve 6 samples per customer. It would be better to be able to serve 8.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support HB1172 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.



Lanikai Brewing Company
175 Hamakua Drive, Unit C
Kailua, Hawaii 96734
www.lanikaibrewing.com

2/5/2019

RE: HB1172 Liquor laws for Tap handles and Stacking.

Aloha Chair, Vice Chair and Committee members,

Lanikai Brewing Company is a locally owned and operated Craft Brewery here on Oahu in Kailua and we are in support of HB1172

My name is Steve Haumschild and I live in Kailua, HI. Only about 5% of the beer consumed in Hawaii is locally made. The local craft beer industry is experiencing historical growth despite all of the economic factors we face. Our cost of production are high, taxes are some of the highest in the country, shipping costs for our geographical isolation, are some of those factors making it about 40-50% more expensive to produce in Hawaii verses elsewhere.

The current laws for Tap Handles are antiquated and are not up to date with digital technology where we can provide significantly more information to our consumers compared to Tap Handles. Consumers that are anywhere in our facility can view a digital display board or view it from their phone if needed and gain significantly more information than a tap handle. Tap Handles do not create a modern look or feel, nor do they guarantee what is coming out of the tap. Since draft can be served all over the restaurant and not just at a bar, tap handles do not provide equal information to all consumers that digital display can.

Stacking laws are all over the place between the islands and our goals are to create consistency in stacking. By changing it to a maximum amount of ounces per customer, they can engage in sampling of multiple products in smaller amounts.

Lanikai Brewing Company is an Island Inspired® authentic Hawaiian craft beer company making 100% of our brews here in Hawaii. We take our cues from premium, local, rare, and exotic ingredients grown by local farmers and foraged across the Pacific to bring you bold and flavorful beers that you will find nowhere else utilizing Hawaiian terroir. **Please note that variances in growing season conditions can impact batch-to-batch flavor and aroma profiles.

‘Ōkole Maluna,

Steven R Haumschild

Steve Haumschild, MBA
CEO & Brewmaster
Certified Cicerone®
Lanikai Brewing Company, Island Inspired™ Craft Beer

Lanikai Brewing Company, Island Inspired™ Craft Beer
Brewery @ 175-C Hamakua Dr, Kailua, HI 96734
Tap & Barrel @ 167 Hamakua Dr, Kailua, HI 96734 M-F 4p-10p, S-S 11a-10p
FB: Lanikai Brewing Company, Instagram: @lanikaibrewing

INU ISLAND ALES

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HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: Support

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

The Hawaiian Craft Brewers Guild is a craft brewing trade organization that seeks to promote production of craft beer in Hawaii as independent craft breweries. We are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities. Our members represent the majority of craft beer producers in Hawaii, with members producing 100% of their beer in Hawaii.

INU Island Ales supports HB1172.

Our brewery taproom provides information to our customers about the beer we have on tap using a video display screen and a white board. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards allows us to easily change and frequently update our menu. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.

As a matter of practicality, the names for some of our craft brews are longer than what can be easily printed on a tap handle. We brew seasonal and sometimes one-time specialty craft beer, making it very costly to design and acquire unique tap handles for each beer that we make. For very small craft breweries like ours, we have a more rapid rotation compared with establishments that keep the same beer selection on tap. Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery.

We support the change to statute proposed in HB1172 by removing the requirement for labeling of tap handles placed on spigots and faucets. HB1172 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

INU Island Ales embraces the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. HB1172 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. Our taproom ONLY serves sampler flight sized glasses that are 5 ounces.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support HB1172 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.
Thank you for the opportunity to provide testimony in support of HB1172.

Keaka Eckart
INU ISLAND ALES



Cindy Goldstein
Executive Director
Hawaiian Craft Brewers Guild
98-814 C Kaonohi Street
Aiea, HI 96701

HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: **Support**

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

The Hawaiian Craft Brewers Guild is a nonprofit trade organization representing the interests of small craft breweries across the State of Hawaii. Our members are independent craft breweries producing 100% of their beer in Hawaii and represent the majority of craft beer producers in Hawaii. Our members are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities.

The Hawaiian Craft Brewers Guild supports HB1172 revising HRS 281 -78 (b)(7) related to tap handles. The requirement for tap handle labeling is meant to easily allow the consumer to see and identify which beer is poured. We support HB1172 because it allows beer taps to be identified through other means and is less burdensome for business owners of brewpubs, taprooms, and other establishments that serve craft beer.

Small craft breweries and taprooms commonly provide information about the beer they are pouring using new technology of display screens and old technology with blackboards. Display screens and boards are placed in close proximity to tap faucets and spigots, visible at the distances called for in current rules for tap handles.

Use of blackboards, video display screens, and other keys allow the brewpub, tap room or other businesses serving craft beer to keep their list of what is on tap current. Changes and updates can be made easily and rapidly to show what is on each tap.

Our Hawaiian Craft Brewers Guild member breweries share additional details with consumers about each beer using boards, screens and beer menus. Consumers are provided with detailed information that allows them to make better choices including percent alcohol in each beer, special ingredients, and style of beer. The extent of

information that is provided goes well beyond the name of the brand adopted by the beer manufacturer, which is called for in the requirement for labeling of a tap handle.

Customers are often seated in a section of an establishment where they are unable to see the area where beer is being poured. Placing a label on a tap faucet or spigot does not provide a customer with additional knowledge that the beer they ordered is the one they received if they are not within view of the properly labeled tap handle.

Hawaii's small craft beer producers offer seasonal brews that are on tap for a few weeks of the year and many will make one-time unique specialty brews. Hawaii's small craft breweries, tap rooms and brewpubs often have a more rapid rotation of their products on tap compared with large national brands that rarely change what is offered. Beer manufacturers typically provide the brand and name of the beer on the tap handle. More rapid rotation combined with one-time and specialty offerings makes it very difficult to have unique handles for each beer that is made. As a matter of practicality, the name of the brewery brand and the name of the craft brew are often longer than what can easily be printed on a tap handle.

We support the change to statute proposed in HB1172 by removing the requirement for labeling of tap handles placed on spigots and faucets. HB1172 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

The Hawaiian Craft Brewers Guild fully embraces the responsible serving and consumption of alcohol. We support basing the maximum amount of alcohol that can be served on a total volume of 44 ounces rather than number of glasses served at one time. HB1172 calls for a limit to the total volume of beer that can be served rather than the number of glasses that can be served, which allows us to continue to be mindful of not over serving alcohol.

Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. Our member breweries serve flight sized glasses that are typically 4 to 6 ounces per glass. Serving flights of smaller volume provides an opportunity for brewery businesses to expand their offerings with new releases, specialty and seasonal beer choices.

We support defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time rather than by number of glasses.

We urge the House Committee on Consumer Protection and Commerce to pass this bill. Mahalo for considering our Hawaiian Craft Brewers Guild testimony in support of HB1172.

Ale Stake LLC.

Timothy J. Golden
675 Auahi St., Suite 121
Honolulu, HI 96813
808-369-0688

HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: Support

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

Craft beer production has been steadily increasing and along with that, greater demand for serving craft beer by Ale Stake LLC., dba Village Bottle Shop & Tasting Room. Policies related to how beer is served to our customers has a great deal of impact on us and we would like to share our viewpoint on bill HB1172.

Our bar provides clearly visible information to our customers about the beer we have on tap using via 47" television screens located directly above the taps. We use a digital display program, Digital Pour, that is specialized for beer to provide the customer with more detail than can ever be achieved with just a tap handle. We are able to provide detailed information that allows consumers to make better choices including percent alcohol, special ingredients, beer color, place of origin, and the style of beer. Our bar also rotates beers often on a daily basis and the use of digital programs and video display boards allows us to easily change and frequently update our menu. This legislation allows our business to keep our list of beer offerings current to show what is on each tap in a manner that is visible to customers.

Tap handles connected to a faucet are an outdated marketing tool of breweries to try and grab customers attention. Tap handles have increasingly got larger and more elaborate to try and stand out in a vast array of beer choices now available on draft. Tap handles provide little information about the beer and with many limited beers from small breweries don't even exist.

As a matter of practicality, the names for some of the craft brews we serve on tap are longer than what can be easily printed on a tap handle. We serve seasonal and sometimes one-time specialty craft beer. Brewery businesses tell us that it is very costly to design and acquire unique tap handles for each beer they produce.

Tap handles attached to draught faucets also do little to ensure that the beer ordered is the beer poured. The kegs that actually hold the beer are always kept in a closed refrigerator that is not visible to the customer. It is here, in the cooler, where the beer is connected to the lines that pour the beer. This is where business owners make sure that the correct beer is connected to the correct line to pour out of the correct draught faucet. If the beer in the cooler is not corrected to the correct line, the tap handle on the customer facing side is useless.

Current tap handle rules are burdensome for businesses like ours that serve beer from smaller independent craft breweries. We have a more rapid rotation with craft beer that we have on tap compared with establishments that keep the same beer selections on tap. We feel our digital displays are far superior to tap handles and provide customers with more information.

We support the change to statute proposed in HB1172 by removing the requirement for labeling of tap handles placed on spigots and faucets. HB1172 would not require the use of tap handles, and at the same time, does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

Mahalo for your consideration. We urge you to pass this bill and thank you for the opportunity to provide testimony in support of HB1172.

Timohty Golden,



February 6, 2019

HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: **Support**

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

Tap Handles

Our brew pub provides information to our customers about the beer we have on tap using blackboard but considering switching to a video screen/Television. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards allows us to easily change and frequently update our menu. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.

As a matter of practicality, the names for some of our craft brews are longer than what can be easily printed on a tap handle. We brew seasonal and sometimes one-time specialty craft beer, making it very costly to design and acquire unique tap handles for each beer that we make. For small craft breweries like ours, we have a more rapid rotation compared with establishments that keep the same beer selection on tap. Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery.

We support the change to statute proposed in HB1172 by removing the requirement for labeling of tap handles placed on spigots and faucets. HB1172 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

Stacking

_____ (Brewery name) embrace the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served

at one time. HB1172 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

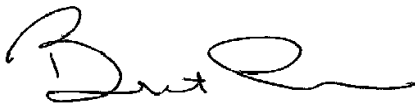
New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. We serve sampler flight sized glasses that are typically 4 to 6 ounces per glass.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support HB1172 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Bret Larson". The signature is fluid and cursive, with a large initial "B" and a long, sweeping tail.

Bret Larson
Owner, President, Kauai Island Brewing Company, LLC.
808-755-5926
bret@kauaiislandbrewing.com



February 5, 2019

HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: **Support**

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

The Hawaiian Craft Brewers Guild is a craft brewing trade organization that seeks to promote production of craft beer in Hawaii as independent craft breweries. We are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities. Our members represent the majority of craft beer producers in Hawaii, with members producing 100% of their beer in Hawaii.

Tap Handles

Our brewpub provides information to our customers about the beer we have on tap using blackboard and beer menu. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of the black board allows us to change out beers quickly. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.

As a matter of practicality, the names for some of our craft brews are longer than what can be easily printed on a tap handle. We brew seasonal and sometimes one-time specialty craft beer, making it very costly to design and acquire unique tap handles for each beer that we make. For small craft breweries like ours, we have a more rapid rotation compared with establishments that keep the same beer selection on tap. Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery.

We support the change to statute proposed in HB1172 by removing the requirement for labeling of tap handles placed on spigots and faucets. HB1172 would not require the use

Honolulu Beerworks
328 Cooke St, Honolulu HI. 93813
808-589-2337

of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

Stacking

Honolulu Beerworks embrace the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. HB1172 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over serving alcohol.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. We serve sampler flight sized glasses that are typically ounces per glass.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support HB1172 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.
Thank you for the opportunity to provide testimony in support of HB1172.

Sincerely,

Geoffrey Seideman
Owner/Brewer

Honolulu Beerworks
328 Cooke St, Honolulu HI. 93813
808-589-2337



HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: **Support**

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

My name is Nicolas Wong, I live in Palolo Valley and I am the Founder of Beer Lab HI. We have three locations in Moiliili, Waipio, and at Pearlridge center. Our brewery began in 2016 with 3 employees. We now provide 42 jobs in Hawaii.

We are members of the Hawaiian Craft Brewers Guild which is a craft brewing trade organization that seeks to promote production of craft beer in Hawaii as independent craft breweries. We are united in our pursuit to promote economic activity for Hawaii's beer manufacturers and enhance opportunities in our communities. Our members represent the majority of craft beer producers in Hawaii, with members producing 100% of their beer in Hawaii.

We, Beer Lab HI support HB1172. We are able to inform customers about beer selections with in depth menus and descriptions that allow customers to make educated decisions our beer. We also promote responsible consumption of alcohol in our brewery and taproom locations.

Tap Handles

Our brewery and tap room locations provide information to our customers about the beer we have on tap using hand held menus placed on each table as well as large menu board which is visible to customers to order from. We are able to provide more detailed information that allows consumers to make better choices including percent alcohol, information about special ingredients, and style of beer. Use of new technology such as video display boards allows us to easily change and frequently update our menu. This legislation allows brewpubs and taprooms to keep their list current to show what is on each tap in a manner that is visible to customers.

As a matter of practicality, the names for some of our craft brews are longer than what can be easily printed on a tap handle. As a part of our specialty craft beer business model, we brew unique beers on a weekly basis, and release different beers constantly, making it very costly to design and acquire unique tap handles for each beer that we



make. For small craft breweries like ours, we have a more rapid rotation compared with establishments that keep the same beer selection on tap. Current tap handle rules are burdensome for businesses like ours that serve beer from our smaller independent craft brewery.

We support the change to statute proposed in HB1172 by removing the requirement for labeling of tap handles placed on spigots and faucets. HB1172 would not require the use of tap handles, and at the same time does not prevent continued use by brands wanting to continue their use.

We support providing consumers with detailed information through the use of visual displays and menus and find tap handle labels are not needed and convey less information.

Stacking

We, Beer Lab HI, embrace the responsible consumption of alcohol. We support basing the maximum amount of alcohol that can be served on total volume rather than number of glasses served at one time. HB1172 calls for a limit to the total volume that can be served which allows us to continue to be mindful of not over-serving alcohol.

New customers, visitors, and our regular patrons want to try new selections. Craft breweries often produce several styles. The trend for craft beer consumers is to sample different styles and new offerings. Some customers prefer smaller servings and like the option of a smaller tasting size. We serve sampler flight sized glasses that are 4 ounces per glass.

Serving flights of smaller volume allows our patrons to sample a greater variety of what our brewery has to offer. This helps grow our business as craft beer consumers try new releases, specialty and seasonal beer choices.

We support HB1172 defining stacking of beer based on a standard serving size of total volume of 44 ounces before a customer at any one time.

Mahalo for your consideration. We urge you to pass this bill.
Thank you for the opportunity to provide testimony in support of HB1172.



WAIKIKI BREWING COMPANY

Joe P. Lorenzen, Partner/Brewmaster
831 Queen St.
Honolulu, HI 96813
808-591-0387
brewmaster@waikikibrewing.com

HB 1172 Relating to Liquor Laws: Tap handle labels and Stacking
House Committee on Consumer Protection and Commerce
Thursday February 7th at 2 p.m. in Conference Room 329

Position: Support

Chair Representative Roy Takumi, Vice Chair Representative Linda Ichiyama, and members of the Committee,

My name is Joe Lorenzen. I live in Honolulu, on the island of Oahu, and I am a partner in and Brewmaster of Waikiki Brewing Company with business locations in Waikiki and in Kaka'ako. Our brewery began with 15 employees in 2015, and now employs a staff of 45.

Waikiki Brewing Company supports HB 1172. This bill serves to clarify some important points in our current statutes pertaining to tap handle labelling and stacking (serving of multiple alcoholic beverages).

The current law requires us to have individual tap handles showing the brand of each beer we serve such that they can be seen from 10 feet away. It seems that this is in order to allow consumers to be clear on what beverage they are being served. In modern taprooms, there are many options other than tap handles to communicate the choice of beverage to the guest. TVs and monitors that present information on brands sold, printed menus, etc. all can convey this information. As a brewer, we often change our offering quite regularly and to have individual tap handles for every brand is not practical.

This bill also addresses stacking. We always encourage responsible drinking and feel that this bill would serve to further encourage responsible drinking by defining what a serving is. For instance, guests in our brewery often purchase small sample size pours of our beers. Depending on how stacking is defined, two of these 4 oz beers can be considered in the same way as two pint glasses of strong liquor drinks. This bill proposes to define the total volume of beer that can be served to a guest at one time, and continues to help promote responsible drinking.

Thank you for the opportunity to testify in support of HB 1172.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe P. Lorenzen".

Joe P. Lorenzen

HB-1172

Submitted on: 2/5/2019 10:47:00 AM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Winslow	Individual	Support	No

Comments:

HB-1172

Submitted on: 2/7/2019 10:02:13 AM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Samonte	Individual	Oppose	No

Comments:

Aloha,

As a Hawai'i Partnership to Prevent Underage Drinking (HPPUD) volunteer, I oppose HB1172.

Increasing the serving size to 44 ounces from two standard beers (24 ounces) at one time promotes binge drinking. Youth are at risk when normalized in a binge drinking society.

Removing signage isn't effective as more signage is better! Consumers may catch visuals differently from others. Keeping and increasing product information is helpful in responsible consumption.

Mahalo!

HB-1172

Submitted on: 2/7/2019 10:05:14 AM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristi Chinen	Individual	Oppose	No

Comments:

HB1172

Relating to Liquor Laws; Repeal Tap Handle Requirements; Clarify Definition of Stacking and Serving Size

House Committee on Consumer Protection & Commerce
02-07-19 at 2:00pm, House Conference Room 329

Chair Roy Takumi, Vice Chair Linda Ichiyama, Committee Members Henry Aquino, Della Au Belatti, Rida Cabanilla Arakawa, Romy Cachola, Sharon Har, Sam Satoru Kong, John Mizuno, Richard Onish, and Lauren Matsumoto

Position: Oppose

My name is Ashlee Klemperer, I live in Kihei, Maui and I am an individual submitting testimony on behalf of HB1172. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose HB1172** for the following reasons:

1. Increasing availability of alcohol will increase consumption and related harms

The Center for Disease Control (CDC), one of the strongest nationally and internationally recognized research-based organizations who shape our world's public health interests recognize limiting the availability of alcohol as one of the strongest prevention strategies to reduce underage drinking, worldwide¹. This current bill proposal directly opposes the science of prevention and will lead to increased population-level alcohol consumption, especially underage drinking. While it is reasonable to redefine single serving of alcohol to allow for microbrews to offer sample "flights" it is general practice of these establishments to serve 4 to 5 servings at 4oz a pour which equals 16 to 20oz. This bill that proposes to "clarify the definition of stacking" to allow for a single serving size of 44oz per person **WILL likely increase alcohol consumption rates as well as excessive drinking rates in our state, which will lead to increased alcohol-related harms for everyone¹.**

2. Local breweries have higher alcohol content levels than commercially produced beer

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

¹ Stahre M, Roeber J, Kanny D, Brewer RD, Zhang X. Contribution of Excessive Alcohol Consumption to Deaths and Years of Potential Life Lost in the United States. Prev Chronic Dis 2014;11:130293. DOI: <http://dx.doi.org/10.5888/pcd11.130293>

I implore you to **oppose HB1172** for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Your Name

HB-1172

Submitted on: 2/7/2019 10:10:25 AM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gerald Jay Ganaden	Individual	Oppose	No

Comments:

HB1172

Relating to Liquor Laws; Repeal Tap Handle Requirements;
Clarify Definition of Stacking and Serving Size

House Committee on Consumer Protection & Commerce
02-07-19 at 2:00pm, House Conference Room 329

Chair Roy Takumi, Vice Chair Linda Ichiyama, Committee Members Henry Aquino, Della Au Belatti, Rida Cabanilla Arakawa, Romy Cachola, Sharon Har, Sam Satoru Kong, John Mizuno, Richard Onish, and Lauren Matsumoto

Position: Oppose

My name is Walter Klemperer, I live in Kihei, Maui and I am an individual submitting testimony on behalf of HB1172. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose HB1172** for the following reasons:

1. Increasing availability of alcohol will increase consumption and related harms

The Center for Disease Control (CDC), one of the strongest nationally and internationally recognized research-based organizations who shape our world's public health interests recognize limiting the availability of alcohol as one of the strongest prevention strategies to reduce underage drinking, worldwide¹. This current bill proposal directly opposes the science of prevention and will lead to increased population-level alcohol consumption, especially underage drinking. While it is reasonable to redefine single serving of alcohol to allow for microbrews to offer sample "flights" it is general practice of these establishments to serve 4 to 5 servings at 4oz a pour which equals 16 to 20oz. This bill that proposes to "clarify the definition of stacking" to allow for a single serving size of 44oz per person **WILL likely increase alcohol consumption rates as well as excessive drinking rates in our state, which will lead to increased alcohol-related harms for everyone¹.**

2. Local breweries have higher alcohol content levels than commercially produced beer

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

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I implore you to **oppose HB1172** for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Your Name



Rick Collins
Chair
Hawai'i Alcohol Policy Alliance
Kula, HI
(808)728-4656

**HB 1172 Relating to Liquor Laws;
Liquor Laws; Beer; Tap Handle Requirement; Beer Serving; Stacking**

February 6, 2019

Position: OPPOSE

**Chair Representative Roy Takumi, Vice Chair Representative
Linda Ichiyama and members of the Committee**

The Hawai'i Alcohol Policy Alliance (Alliance) is opposed to HB1172. Our opposition is specifically related to the provision of the bill allowing the stacking of beer by volume. The United States is experiencing a trend toward increased alcohol affordability, accessibility and marketing. There is growing pressure toward deregulation so that alcohol can be consumed like any other consumer product, with few restrictions. Alcohol is no ordinary commodity. The push toward deregulation of alcohol is a national trend and is meant to increase profits at the expense of public health.

The Hawai'i Alcohol Policy Alliance is a volunteer-based organization of private citizens made up of members from all four counties within the State. Our mission is to advocate for research-based responsible alcohol policies that are in the best interest of the people of Hawai'i, and that reduce alcohol-related harms in our communities. Our vision is a Hawai'i free of alcohol-related injuries, disease, and death.

Beer Stacking Provision

HB1172 is a direct attack on the deregulation of on-premise alcohol serving and creates public health risks.

Risks of the Proposed Stacking Provision



The current provision of allowing each customer to have up to 44oz of beer increases the likelihood of binge drinking, resulting in increased risk of alcohol-related consequences such as drunk driving, and overall increased rates of community violence.

Additionally, the proposed bill is supposed to support local breweries who serve sample flights of 4-5 glasses of an average of 5oz per glass of beer. The simple mathematics of this at the highest quantity of total volume would be 25oz. In the proposed provision, the math of alcohol by volume doesn't match up. How did we go from 20-25oz for a full sampler of flight beers to 44oz of alcohol at any given time? Is this a mere mathematical mistake of our legislators, or is this more likely a "backdoor" way for the alcohol industry to increase profits and sales? Let's not kid ourselves into thinking that this is just to give local breweries the ability to sell sample flights of beer.

Craft brewery beers have higher alcohol content levels than commercially produced beer

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. **Allowing a single serving of alcohol of 44oz without a cap on alcohol content WILL increase the likelihood of problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

Lower Total Alcohol Volume Benefits our Local Craft Brewing Businesses

Allowing local breweries to serve up to 44oz of beer to customers creates an unnecessary burden on local brewery businesses. Servers will be pressured to serve more alcohol to customers, thereby increasing the risk that patrons become intoxicated and getting involved in alcohol-related consequences (i.e. drunk driving, violence, and other injuries). This will increase liability on the local businesses and individual servers and hold them accountable for injuries resulting in the over-service of alcohol at their establishments. **Capping the alcohol volume at a lower cap that is 20-24oz will ensure that the local businesses are safe from dram shop liability, as well as better protect our community from alcohol-related injuries and harms.**

Local Breweries having the ability to serve sample flights of beer

The Hawai'i Alcohol Policy Alliance is not directly opposed to local breweries being able to serve sample flights of beers, as long as the total volume of alcohol is equivalent to the actual total amount of a sampler serving, i.e. 20-24oz total serving. The Alliance would also recommend that there be caps on alcohol-by-volume per serving to ensure safer levels of alcohol consumption.

Tap Handle Provision

The *Alliance* has no direct comment on the tap handle provision of the bill.



I implore you to oppose HB1172 for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Richard Collins

Chair

Hawai'i Alcohol Policy Alliance

(808) 728-4656

HB1172

Relating to Liquor Laws; Repeal Tap Handle Requirements; Clarify Definition of Stacking and Serving Size

House Committee on Consumer Protection & Commerce
02-07-19 at 2:00pm, House Conference Room 329

Chair Roy Takumi, Vice Chair Linda Ichiyama, Committee Members Henry Aquino, Della Au Belatti, Rida Cabanilla Arakawa, Romy Cachola, Sharon Har, Sam Satoru Kong, John Mizuno, Richard Onish, and Lauren Matsumoto

Position: **Oppose**

My name is Katie Folio, I live in Kula, Maui, HI and I am an individual submitting testimony on behalf of HB1172. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose HB1172** for the following reasons:

1. Increasing availability of alcohol will increase consumption and related harms

The Center for Disease Control (CDC), one of the strongest nationally and internationally recognized research-based organizations who shape our world's public health interests recognize limiting the availability of alcohol as one of the strongest prevention strategies to reduce underage drinking, worldwide¹. This current bill proposal directly opposes the science of prevention and will lead to increased population-level alcohol consumption, especially underage drinking. While it is reasonable to redefine single serving of alcohol to allow for microbrews to offer sample "flights" it is general practice of these establishments to serve 4 to 5 servings at 4oz a pour which equals 16 to 20oz. This bill that proposes to "clarify the definition of stacking" to allow for a single serving size of 44oz per person **WILL likely increase alcohol consumption rates as well as excessive drinking rates in our state, which will lead to increased alcohol-related harms for everyone**¹.

2. Local breweries have higher alcohol content levels than commercially produced beer

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

¹ Stahre M, Roeber J, Kanny D, Brewer RD, Zhang X. Contribution of Excessive Alcohol Consumption to Deaths and Years of Potential Life Lost in the United States. Prev Chronic Dis 2014;11:130293. DOI: <http://dx.doi.org/10.5888/pcd11.130293>

I implore you to **oppose HB1172** for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Katie Folio

Kula, Maui, HI

HB1172

Relating to Liquor Laws; Repeal Tap Handle Requirements; Clarify Definition of Stacking and Serving Size

House Committee on Consumer Protection & Commerce
02-07-19 at 2:00pm, House Conference Room 329

Chair Roy Takumi, Vice Chair Linda Ichiyama, Committee Members Henry Aquino, Della Au Belatti, Rida Cabanilla Arakawa, Romy Cachola, Sharon Har, Sam Satoru Kong, John Mizuno, Richard Onish, and Lauren Matsumoto

Position: **Oppose**

My name is Ann Collins and I live in Kula, HI and I am an individual submitting testimony on behalf of HB1172. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose HB1172** for the following reasons:

1. Increasing availability of alcohol will increase consumption and related harms

The Center for Disease Control (CDC), one of the strongest nationally and internationally recognized research-based organizations who shape our world's public health interests recognize limiting the availability of alcohol as one of the strongest prevention strategies to reduce underage drinking, worldwide¹. This current bill proposal directly opposes the science of prevention and will lead to increased population-level alcohol consumption, especially underage drinking. While it is reasonable to redefine single serving of alcohol to allow for microbrews to offer sample "flights" it is general practice of these establishments to serve 4 to 5 servings at 4oz a pour which equals 16 to 20oz. This bill that proposes to "clarify the definition of stacking" to allow for a single serving size of 44oz per person **WILL likely increase alcohol consumption rates as well as excessive drinking rates in our state, which will lead to increased alcohol-related harms for everyone¹.**

2. Local breweries have higher alcohol content levels than commercially produced beer

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

¹ Stahre M, Roeber J, Kanny D, Brewer RD, Zhang X. Contribution of Excessive Alcohol Consumption to Deaths and Years of Potential Life Lost in the United States. Prev Chronic Dis 2014;11:130293. DOI: <http://dx.doi.org/10.5888/pcd11.130293>

I implore you to **oppose HB1172** for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Ann Collins

HB1172

Relating to Liquor Laws; Repeal Tap Handle Requirements; Clarify Definition of Stacking and Serving Size

House Committee on Consumer Protection & Commerce
02-07-19 at 2:00pm, House Conference Room 329

Chair Roy Takumi, Vice Chair Linda Ichiyama, Committee Members Henry Aquino, Della Au Belatti, Rida Cabanilla Arakawa, Romy Cachola, Sharon Har, Sam Satoru Kong, John Mizuno, Richard Onish, and Lauren Matsumoto

Position: Oppose

My name is Lauren Loor I live in Kahului and I am an individual submitting testimony on behalf of HB1172. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose HB1172** for the following reasons:

1. Increasing availability of alcohol will increase consumption and related harms

The Center for Disease Control (CDC), one of the strongest nationally and internationally recognized research-based organizations who shape our world's public health interests recognize limiting the availability of alcohol as one of the strongest prevention strategies to reduce underage drinking, worldwide¹. This current bill proposal directly opposes the science of prevention and will lead to increased population-level alcohol consumption, especially underage drinking. While it is reasonable to redefine single serving of alcohol to allow for microbrews to offer sample "flights" it is general practice of these establishments to serve 4 to 5 servings at 4oz a pour which equals 16 to 20oz. This bill that proposes to "clarify the definition of stacking" to allow for a single serving size of 44oz per person **WILL likely increase alcohol consumption rates as well as excessive drinking rates in our state, which will lead to increased alcohol-related harms for everyone¹.**

2. Local breweries have higher alcohol content levels than commercially produced beer

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

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I implore you to **oppose HB1172** for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Lauren Loor

HB-1172

Submitted on: 2/7/2019 11:26:09 AM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jan Shishido	Individual	Oppose	No

Comments:

HB1172

Relating to Liquor Laws; Repeal Tap Handle Requirements;
Size

Clarify Definition of Stacking and Serving

House Committee on Consumer Protection & Commerce

02-07-19 at 2:00pm, House Conference Room 329

Chair Roy Takumi, Vice Chair Linda Ichiyama, Committee Members Henry Aquino, Della Au Belatti, Rida Cabanilla Arakawa, Romy Cachola, Sharon Har, Sam Satoru Kong, John Mizuno, Richard Onish, and Lauren Matsumoto

Position: **Oppose**

My name is Jan Shishido. I live in Kahului, Maui and I am an individual submitting testimony on behalf of HB1172. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose HB1172** for the following reasons:

1. **Increasing availability of alcohol will increase consumption and related harms**

The Center for Disease Control (CDC), one of the strongest nationally and internationally recognized research-based organizations who shape our world's public health interests recognize limiting the availability of alcohol as one of the strongest prevention strategies to reduce underage drinking, worldwide^[1]. This current bill proposal directly opposes the science of prevention and will lead to increased population-level alcohol consumption, especially underage drinking. While it is reasonable to redefine single serving of alcohol to allow for microbrews to offer sample "flights" it is general practice of these establishments to serve 4 to 5 servings at 4oz a pour which equals 16 to 20oz. This bill that proposes to "clarify the definition of stacking" to allow for a single serving size of 44oz per person **WILL likely increase alcohol consumption rates as well as excessive drinking rates in our state, which will lead to increased alcohol-related harms for everyone**¹.

- 1. Local breweries have higher alcohol content levels than commercially produced beer**

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

I implore you to **oppose HB1172** for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Jan Shishido

[1] Stahre M, Roeber J, Kanny D, Brewer RD, Zhang X. Contribution of Excessive Alcohol Consumption to Deaths and Years of Potential Life Lost in the United States. *Prev Chronic Dis* 2014;11:130293. DOI: <http://dx.doi.org/10.5888/pcd11.130293>

HB-1172

Submitted on: 2/7/2019 11:27:33 AM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kari Benes	Individual	Comments	No

Comments:

Aloha House Judiciary,

My name is Kari Benes and I respectfully ask that you decrease the maximum serving size to something more reasonable like 22 ounces.

This bill allows one serving to be up to 44 ounces of draft beer. To illustrate the problem, lets say I'm a 29 year old male, I weigh 150 lbs and I consume a beer this size with an alcohol volume of 5% in one hour or less. This amount of alcohol would place me well over the legal limit for driving a vehicle **for another 7 hours**. This amount of alcohol consumed on occasion is also considered unhealthy and puts an individual at greater risk for cancer, addiction, obesity, and other health problems.

In light of recent events with a young man who decided to drink too much and get behind the wheel and take the innocent lives of 3 people, I'm asking you reconsider both the number of drinks and the quantity of one drink an individual can consume at one time.

Please consider requiring the older standard for counties, which was originally supposed to be no more than 1 standard 12ounce beer and one shot per hour.

Thank you for your time and consideration.

Kari Benes

HB-1172

Submitted on: 2/7/2019 11:58:31 AM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nadine	Individual	Oppose	No

Comments:

This bill increases the beer serving limit to 44 ounces, which is similar to approximately drinking 4 beers at one time. This is very dangerous and can be seen as promoting binge drinking. To put it in another perspective, this can be seen as a factor to drunk driving. If an individual, who is legable to drink, takes advantage of this bill, the intention of putting an end to drunk driving can be seen as a possible failure. The question now is how this might be a contributor to future car accidents much like the one in Ala Moana Boulevard which led to the death of three people and the injuries of a few others.

HB-1172

Submitted on: 2/7/2019 11:36:43 AM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shawn Blair	Individual	Oppose	No

Comments:

HB1172

Relating to Liquor Laws; Repeal Tap Handle Requirements;
Size

Clarify Definition of Stacking and Serving

House Committee on Consumer Protection & Commerce

02-07-19 at 2:00pm, House Conference Room 329

Chair Roy Takumi, Vice Chair Linda Ichiyama, Committee Members Henry Aquino, Della Au Belatti, Rida Cabanilla Arakawa, Romy Cachola, Sharon Har, Sam Satoru Kong, John Mizuno, Richard Onish, and Lauren Matsumoto

Position: **Oppose**

My name is Shawn Blair. I live in Pearl City and I am an individual submitting testimony on behalf of HB1172. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose HB1172** for the following reasons:

1. Increasing availability of alcohol will increase consumption and related harms

The Center for Disease Control (CDC), one of the strongest nationally and internationally recognized research-based organizations who shape our world's public health interests recognize limiting the availability of alcohol as one of the strongest prevention strategies to reduce underage drinking, worldwide^[1]. This current bill proposal directly opposes the science of prevention and will lead to increased population-level alcohol consumption, especially underage drinking. While it is reasonable to redefine single serving of alcohol to allow for microbrews to offer sample "flights" it is general practice of these establishments to serve 4 to 5 servings at 4oz a pour which equals 16 to 20oz. This bill that proposes to "clarify the definition of stacking" to allow for a single serving size of 44oz per person **WILL likely increase alcohol consumption rates as well as excessive drinking rates in our state, which will lead to increased alcohol-related harms for everyone**¹.

2. Craft beers, such as those served in local breweries, have higher alcohol content levels than commercially produced beer.

This bill intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

I implore you to **oppose HB1172** for the benefit of the people of Hawai'i. To concede your vote to the wishes of the commercial interests will only be to the detriment of your constituents. You do not want to be responsible for a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities.

Mahalo for your time and attention to this urgent matter.

Sincerely,

Shawn M. Blair

[1] Stahre M, Roeber J, Kanny D, Brewer RD, Zhang X. Contribution of Excessive Alcohol Consumption to Deaths and Years of Potential Life Lost in the United States. *Prev Chronic Dis* 2014;11:130293. DOI: <http://dx.doi.org/10.5888/pcd11.130293>

House Committee on Consumer Protection & Commerce
02-07-19 at 2:00pm, House Conference Room 329

Chair Roy Takumi, Vice Chair Linda Ichiyama, Committee Members Henry Aquino, Della Au Belatti, Rida Cabanilla Arakawa, Romy Cachola, Sharon Har, Sam Satoru Kong, John Mizuno, Richard Onishi, and Lauren Matsumoto

HB1172, Relating to Liquor Laws; Repeal Tap Handle Requirements; Clarify Definition of Stacking and Serving Size

Position: **Oppose**

My name is Cynthia Okazaki and I live in Kaneohe. Mahalo for the opportunity to submit testimony as I am unable to be there in-person at this time. I strongly **oppose HB1172** for the following reasons:

1. Increasing availability of alcohol will increase consumption and related harms.

The Center for Disease Control (CDC), one of the strongest nationally and internationally recognized research-based organizations who shape our world's public health interests recognize limiting the availability of alcohol as one of the strongest prevention strategies to reduce underage drinking, worldwide¹. This current bill proposal directly opposes the science of prevention and will lead to increased population-level alcohol consumption, especially underage drinking. While it is reasonable to redefine single serving of alcohol to allow for microbrews to offer sample "flights" it is general practice of these establishments to serve 4 to 5 servings at 4oz a pour which equals 16 to 20oz. This bill that proposes to "clarify the definition of stacking" to allow for a single serving size of 44oz per person **WILL likely increase alcohol consumption rates as well as excessive drinking rates in our state. This will lead to increased alcohol-related harms for everyone¹.**

2. Local breweries have higher alcohol content levels than commercially produced beer

HB 1172 intends to allow for local breweries to offer sample flights of various beers that have a wide range of alcohol content which poses unique challenges. It must be noted that locally brewed beers generally have higher alcohol content than commercially produced alcohol products. Allowing a single serving of alcohol of 44oz **without a cap on alcohol content WILL increase problems related to the over service of patrons including excessive drinking and drunk driving which would put patrons and community members at risk.**

¹ Stahre M, Roeber J, Kanny D, Brewer RD, Zhang X. Contribution of Excessive Alcohol Consumption to Deaths and Years of Potential Life Lost in the United States. *Prev Chronic Dis* 2014;11:130293. DOI: <http://dx.doi.org/10.5888/pcd11.130293>

I implore you to **oppose HB1172** for the benefit of the people of Hawai'i. You do not want to be responsible for passing a bill that would see more alcohol-impaired motor-vehicle crashes, more violence, and other alcohol-related harms in our communities, including an increase of underage drinking..

Mahalo for your time and attention to this urgent matter.

Sincerely,
Cynthia Okazaki

HB-1172

Submitted on: 2/7/2019 1:09:38 PM

Testimony for CPC on 2/7/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Lee Kalei Correa	Individual	Oppose	No

Comments:

In the interest of public safety I humbly urge our law makers to kill this bill. My family and I were victims of a DUI related crash. It severely altered our lives, and we are concerned others my suffer the same fate because of the passage of such laws.

Mahalo and have a great day,

Eric Correa.