

Legislative History for Connecticut Act

---

HB 6163	PA 122	1991
House	3546-3558	(13)
Senate	1518-1520, 1538	(4)
General Law	594-611, 671, 689-695	(25)
		412p.

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate  
and House of Representatives Proceedings

Connecticut State Library  
Compiled 2016

H-594

CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1991

VOL. 34  
PART 9  
3198-3568

003546

149

pat

House of Representatives

Wednesday, April 24, 1991

Please check the roll call machine to see that your vote is properly cast. The machine will be locked. The Clerk please take a tally.

The Clerk please announce the tally.

CLERK:

House Bill 6561.

Total number voting 142

Necessary for passage 72

Those voting yea 131

Those voting nay 11

Those absent and not voting 9

DEPUTY SPEAKER MARKHAM:

The bill is passed.

CLERK:

Please turn to Page 6, Calendar 288, Substitute for House Bill Number 6163, AN ACT CONCERNING THE PACKAGING OF FORTIFIED WINE. Favorable Report of the Committee on General Law.

REP. FOX: (144th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Fox of the 144th.

REP. FOX: (144th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

003547

150

pat

House of Representatives

Wednesday, April 24, 1991

REP. FOX: (144th)

The question is on acceptance of the Joint Committee's Favorable Report and passage. Will you remark, Sir?

REP. FOX: (144th)

Yes, Sir. Mr. Speaker, this is a bill which attempts to deal with what has been some misleading advertising in terms of two products, or I should say, in terms of one product.

In particular, there has been a problem with respect to fortified wine and it being sold in such a manner as to make it appear as though it is a liquor cooler. There has been some discussion regarding how best to address it and there is an amendment which I think meets the approval of all concerned.

That is LCO Number 60078 and I would ask that the Clerk call it and I be allowed to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession, LCO Number 6008 designated House Amendment Schedule "A". Will the Clerk please call the amendment.

CLERK:

LCO Number 6008 designated House Amendment Schedule "A" offered by Representative Fox et al.

DEPUTY SPEAKER MARKHAM:

003548

151

pat

House of Representatives

Wednesday, April 24, 1991

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? If not, please proceed, Sir.

REP. FOX: (144th)

Thank you, Mr. Speaker. This amendment would delete in toto, the file copy and it would propose a change to 30-63 of the statutes relating to registration of brands and it would provide that the Liquor Commission would not approve any brand registration of a fortified wine if it was packaged in such a way as though to appear to be a wine or liquor cooler.

I move adoption of the amendment, Sir.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "A". Will you remark? Will you remark? If not, I shall try your minds.

Those in favor of House Amendment Schedule "A" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Those opposed, nay. The ayes have it. The amendment is adopted and ruled technical.

\*\*\*\*\*

003549

pat

152

House of Representatives

Wednesday, April 24, 1991

House Amendment Schedule "A".

Strike everything after the enacting clause and insert the following in lieu thereof:

"Subsection (a) of section 30-63 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) No holder of any manufacturer, wholesaler or out-of-state shipper's permit shall ship, transport or deliver within this state, or sell or offer for sale, any alcoholic liquors unless the name of the brand, trade name or other distinctive characteristic by which such alcoholic liquors are bought and sold, the name and address of the manufacturer thereof and the name and address of each wholesaler permittee who is authorized by the manufacturer or his authorized representative to sell such alcoholic liquors are registered with the department of liquor control and until such brand, trade name or other distinctive characteristic has been approved by the department. Such registration shall be valid for a period of three years. The fee for such registration, or renewal thereof, shall be one hundred dollars for out-of-state shippers and three dollars for Connecticut manufacturers for each brand so registered, payable by the manufacturer or his authorized representative when such liquors are manufactured in the United States and by the importer when such liquors are imported into the United States. THE DEPARTMENT SHALL NOT APPROVE THE BRAND REGISTRATION OF ANY FORTIFIED WINE, AS DEFINED IN SECTION 12-433, WHICH IS LABELED, PACKAGED OR CANNED SO AS TO APPEAR TO BE A WINE OR LIQUOR COOLER, AS DEFINED IN SECTION 12-433."

\*\*\*\*\*

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill as amended?

Representative Winkler of the 41st.

REP. WINKLER: (41st)

Yes, thank you, Mr. Speaker. I'd like to urge the Chamber's support for the bill as amended. The

003550

pat

153

House of Representatives

Wednesday, April 24, 1991

particular fortified wine that we're talking about is CISCO, that has a street name of liquid crack. CISCO has been distributed approximately in 40 states and is now in Connecticut.

There's information that I have here, that's been --

DEPUTY SPEAKER MARKHAM:

Representative, just a moment. (Gavel) (Gavel) Thank you. Please proceed.

REP. WINKLER: (41st)

Thank you, Mr. Speaker. I have information here that has been posted in all emergency rooms in Connecticut and I would just like to point out some of the information for the Chamber's benefit.

I have personally seen patients brought in to the emergency room as a result of drinking CISCO. It can cause behavior changes, including combativeness, hallucinations, disorientation, loss of motor control and loss of consciousness.

A 12 oz. bottle of this is equivalent to 5 shots of 80 proof vodka. This also, drinking a single bottle of this fortified wine by a person weighing 150 pounds or less will result in a blood alcohol content level of 1.1 over the legal limit of driving while intoxicated.

Consumption of two of these bottles within one hour

003551

154

pat

House of Representatives

Wednesday, April 24, 1991

by a person weighing 100 pounds or less may cause death due to acute alcohol poisoning.

This particular fortified wine, one might find in the area of where wine coolers are sold. It's being misrepresented. Young people come in and can buy a single bottle for \$1.50 and think they're getting a wine cooler and in reality, they're getting something much more potent and much more dangerous.

I urge the Chamber's adoption. Thank you.

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill as amended?  
Representative Young of the 143rd.

REP. YOUNG: (143rd)

Mr. Speaker, excuse me, I was looking at the wrong button. I guess Representative Winkler has answered my question, but just for my own edification, a question for Representative Fox.

I gather this CICOSO or what have you, fortified wine is wine and some kind of hard liquor mixed together, am I correct in that?

DEPUTY SPEAKER MARKHAM:

Representative Fox

REP. FOX: (144th)

Thank you, Mr. Speaker. Under Section 12-433 of the statutes, there is a specific definition of what is

003552  
155

pat

House of Representatives

Wednesday, April 24, 1991

called fortified wine. CISCO is a fortified wine. The alcohol content as I recall, runs somewhere in the area of 20% as opposed to a cooler which is around 7%.

Fortified wine is a fermented wine with a, for lack of a better term, a kicker added to it, so it is a very strong substance and it has been packaged in a way that one would believe it was no more than a cooler. That is the problem that we're attempting to address.

REP. YOUNG: (143rd)

Thank you, Representative Fox. Just again, through you, under this bill, how will it be marketed? Will it be marketed in a bottle that looks like a wine bottle, or in a bottle that looks like a liquor bottle.

Through you, Sir?

DEPUTY SPEAKER MARKHAM:

Representative Fox.

REP. FOX: (144th)

The particular product I am told through the Liquor Commission, they are now in the process of changing both their label and their bottle, so that particular problem I think will be corrected by the manufacturer.

This legislation would in the future, hopefully prevent a fortified liquor from being packaged as if it were a cooler.

REP. YOUNG: (143rd)

003553

156

pat

House of Representatives

Wednesday, April 24, 1991

Could it, through you, could it also be prevented from being packaged as if it were a wine? I mean, wine has a 12% alcohol content, also, so it should be somewhat different, should it not? Through you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Fox.

REP. FOX: (144th)

Through you, Mr. Speaker, that's correct

REP. YOUNG: (143rd)

Thank you very much.

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill as amended?

Will you remark further? Representative Caruso of the 126th.

REP. CARUSO: (126th)

Yes, Mr. Speaker. I rise to comment on the bill.

DEPUTY SPEAKER MARKHAM:

Proceed.

REP. CARUSO: (126th)

Mr. Speaker, members of the Assembly, I'd ask for approval of this bill today. It underscores a weakness in our existing statutes because the CISCO drink has been marketed in the State of Connecticut and throughout the United States.

003554

157

pat

House of Representatives

Wednesday, April 24, 1991

In California, in particular, there has been an accidental death related to the CISCO drink and the surgeon general for the United States, Dr. Novello, has also come out against the CISCO drink and I think there is a need to have this type of language in our statutes not only for the current problem that we're experiencing, but for future problems that may exist.

The difference between this and a wine, a wine has roughly 18% alcohol content and the wine cooler is only supposed to have roughly 4.5 or 5% content. The CISCO drink has a 20% alcohol level in the drink itself.

As Representative Winkler commented, it's equivalent to 5 shots of vodka, which is an extremely potent drink and it should not be deceitful to the consumer when they purchase this drink.

So for those reasons, I would ask for support on this bill. Thank you.

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill as amended?

REP. BEAMON: (72nd)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Beamon of the 72nd.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker. I, too, in some way

003555

158

pat

House of Representatives

Wednesday, April 24, 1991

reluctantly rise to support this bill as amended. And one reason why is the deceptive marketing of this product. It looks very punchy and cute. But actually, as Representative Winkler and Representative Caruso have pointed out, you're looking at 5 shots of a distilled spirit.

Now, I don't know what the reason why that happened that way in terms of the wine companies and the liquor companies getting together. One problem is that many of the distilled spirits aren't selling any more. I mean, those who used to drink Old Crow and Four Roses aren't around any more, and I wonder why.

But the marketing strategy has been for younger people to make these drinks look very appealing and very attractive and because of the industry's problem with CISCO, now you see a decrease of CISCO sales. But I do think in the future we need legislation like this, so I rise to support it.

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill?

Representative Smoko of the 91st.

REP. SMOKO: (91st)

Thank you, Mr. Speaker. I rise in support of this bill as well. I think it goes at least part way to correcting the problem that we're confronted with with

003556

pat

159

House of Representatives

Wednesday, April 24, 1991

this type of product.

But I had never heard of CISCO until a couple of months ago when there was an article in the newspaper, so having a 20 year old son, I asked my son to fill me in on CISCO, and I was surprised to find out they knew exactly what it was. They knew how potent it was.

The problem with CISCO, I think, is the cost. We are presenting in the marketplace, I don't care how you bottle it or package it, or what you do to it, kids know what it is. The thing is, it's potent and it's very, very inexpensive. I think I'm going to probably explore as part of this discussion, some way of kicking up the price on this, taking it economically out of reach.

Kids know what it is. They know they can for a buck or a buck and a half, get the equivalent of 5 shots of liquor and I guess the kids call it a cheap buzz. That's what we used to call it. But I don't think the problem is so much in packaging as it is a product very inexpensive in the marketplace that has the result that it has.

We as parents consider it undesirable result. Some of the kids out there, they know what it is. They consider the effect of it to be a very desirable result at a given point in time. So I think we should be

003557

160

pat

House of Representatives

Wednesday, April 24, 1991

looking at some mechanism economically, to get it out of reach of the people we don't want it within reach of. Thank you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Thank you. Shall we vote? Seeing no one else who wishes to remark on the bill as amended, staff and guests please come to the well of the House. Members take their seats. The machine will be opened.

CLERK:

The House of Representatives is voting by roll call. Members please report to the Chamber. The House is taking a roll call vote. Members to the Chamber, please.

DEPUTY SPEAKER MARKHAM:

Have all members voted? Have all members voted? Please check the roll call machine, Representative Ireland, to see that your vote is properly cast.

The machine will be locked. The Clerk please take a tally. The Clerk please announce the tally.

CLERK:

003558

161

pat

House of Representatives

Wednesday, April 24, 1991

House Bill 6163 as amended by House Amendment  
Schedule "A".

Total number voting	143
Necessary for passage	72
Those voting yea	143
Those voting nay	0
Those absent and not voting	8

DEPUTY SPEAKER MARKHAM:

The bill as amended is passed.

SPEAKER BALDUCCI:

Are there any announcements or points?

Representative Frankel.

REP. FRANKEL: (121st)

Thank you, Mr. Speaker. Ladies and gentlemen, it is our intention to adjourn momentarily. We will be taking up no further items of business other than the possibility of referrals on the Clerk's desk.

It's our intention to reconvene tomorrow at 1:00 p.m. That is a session tomorrow, commencing at 1:00 p.m. It is our expectation and hope that we will adjourn tomorrow before the dinner hour. With that announcement, Mr. Speaker, I'll yield the floor to other members who have other announcements.

SPEAKER BALDUCCI:

Any other announcements or points by any member?

S-318

CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1991

VOL. 34  
PART 5  
1514-1901

THURSDAY  
May 2, 1991

001518  
51  
aak

objection now that we have stated that to place Senate  
Calendar 317, Substitute HB6121 on the Consent  
Calendar? Any objection? Hearing none, it is so  
ordered.

THE CLERK:

Calendar 318, File 337 and 501, Substitute HB6163,  
AN ACT CONCERNING THE PACKAGING OF FORTIFIED WINE. As  
amended by House Amendment Schedule "A". Favorable  
Report of the Committee on GENERAL LAW.

THE CHAIR:

Thank you. The Chair recognizes Senator Allen. I  
would request that the noise level that we were just  
discussing in the previous bill be kept down a little  
bit so we can hear the Senator. Sir, please proceed.

SENATOR ALLEN:

Thank you, Madam President. I would like to move  
the acceptance of the Committee's report and adoption  
of the bill in concurrence with the House.

THE CHAIR:

Fine, thank you. Would you care to remark further?

SENATOR ALLEN:

Yes, Madam President, this bill would protect the  
public from these ultra high potency fortified wines,  
deliberately packaged to look like the familiar wine  
coolers that the public has become accustomed to.

THURSDAY  
May 2, 1991

001519  
52  
aak

These new fortified wines are very potent, as I have noted. We deal with them by prohibiting the approval of a brand registration in the case of these. The Department of Liquor Control believes that they are deliberately packaged to look like the less potent wine coolers. It is felt that this is necessary because these wines are beginning to cause a great deal of problem, not just in our State, but across the Country.

In fact, the United States Surgeon General Novello has characterized these products as liquid crack, they are very potent, they cause extreme problems. As evidence of just how potent they are, some of these wine coolers we have, generally the alcohol content of them is somewhere in the neighborhood of 4.5% by volume. Regular wines, which we know can get us quite inebriated if we are walking around or driving after downing a bottle or so, some of the better ones carry an alcohol content of 18%. These fortified wines, some of the brands carry an alcohol content of 20% and 21%. That's equivalent to four and a half or five shots of vodka which you are downing in one fell swoop with this. They have been banned already in the State of Pennsylvania. The Legislatures in several other states are considering this drastic act. We are not proposing that. At this point now we are proposing however, if

THURSDAY  
May 2, 1991

00J520  
aak

they are sold in the State of Connecticut that they should not be masquerading as things they are not, in a product that is familiar to the public and that is what this bill would propose.

House Amendment "A" which I completely agree with, essentially turns around how we approach this bill so that we avoid having to have our Department of Liquor Control make a determination as to what reasonable person's definitional kind of question deals with. This is a more direct way to deal with the bill as the House amended it and I suggest that we approve their version of it.

THE CHAIR:

Thank you very much, Senator. Would anyone else care to remark on Senate Calendar 318? Any further comments? Senator Allen.

SENATOR ALLEN:

Yes, Madam President, if there is no objection, I would move this to the Consent Calendar.

THE CHAIR:

Any objection to moving Senate Calendar 318, Substitute HB6163 to the Consent Calendar? Is there any objection? Hearing none, it is so ordered.

THE CLERK:

Calendar 321, File 335, Substitute HB5500, AN ACT

THURSDAY  
May 2, 1991

001538

71  
aak

on Calendar Page 4, Calendar 166, Substitute SB688.  
Calendar 168, Substitute SB716. Calendar Page 5,  
Calendar 197, SB232. Calendar Page 8, Calendar 272,  
Substitute SB818.

Calendar Page 10, Calendar 304, Substitute SB876.  
Calendar Page 11, Calendar 317, Substitute HB6161.  
Calendar 318, Substitute HB6163. Calendar 321,  
Substitute HB5500. Calendar Page 12, Calendar 334,  
Substitute HB5443. Calendar Page 15, Calendar 283,  
Substitute HJ46. Madam President, that completes  
today's Consent Calendar.

THE CHAIR:

Thank you very much, Mr. Clerk. You have heard the  
items that currently consist the Consent Calendar #1  
for May 2, 1991. The machine is open. You may record  
your vote. Senator Larson. Is Senator Larson here?  
All Senators who are here have voted and the machine is  
closed.

The result of the vote.

35 Yea  
0 Nay  
1 Absent

The Consent Calendar is passed.

Mr. Clerk. The Senate will stand at ease for a  
couple of seconds. The Senate will reconvene. Mr.

JOINT  
STANDING  
COMMITTEE  
HEARINGS

GENERAL LAW  
PART 3  
579-908

1991

000594

30  
aak

GENERAL LAW

March 5, 1991

REP. FOX: Okay, thank you, Sir. The next speaker on that same bill would be Nick Smith. You have nothing to add?

NICK SMITH: No.

REP. FOX: Okay, thank you. The next bill on which we have registered speakers is HB6163. And the first speaker is Jan Luster.

JAN LUSTER: Ladies and gentlemen, good morning.

REP. FOX: Good morning.

JAN LUSTER: I come to you from RYSAP, Regional Youth Substance Abuse Project and represent the prevention committee of that entity. We are very concerned about a produce which is currently on the market named Cisco. As you know, up until just recently the product was bottled like a wine cooler. It is my understanding that the wine company will repackage and reliable the product. I don't think that has hit the market yet.

But up until most recently the product was placed next to wine coolers, comes in flavors, smells like a wine cooler and is called a dessert wine. It is easy to see how customers would be misled. The fact is that the product is dangerous. It has a labeled alcohol 20% by volume, 40 proof. A 375 milliliter bottle, approximately 12 ounces, contains the equivalent of 5 shots of 80 proof vodka. Consumption of 2 bottles within one hour can lead to alcohol poisoning. Acute alcohol poisoning causes death and we believe it is of particular concern to persons to weigh 100 pounds or less and therefore, particularly dangerous to females.

The RYSAP Regional Youth Substance Abuse Project, the prevention committee, hopes that by bringing this information to your attention the Connecticut Senate and House of Representatives will be concerned enough for the health and well being of Connecticut citizens to support Committee HB6163 that states no alcoholic beverage with an alcohol content that exceeds 18 proof will be labeled as a wine cooler.

000595

31  
aak

GENERAL LAW

March 5, 1991

In making your decision, we hope that you will remember that those who drink Cisco may not be the ones who purchase it. They may be kids or teens or others, who believe they are drinking a wine cooler type of beverage.

Furthermore, I might add that it is my understanding, although I have not confirmed it, that the State of Pennsylvania has outlawed the sale of this product within that Commonwealth and we would urge you to investigate that possibility as well.

I would like to leave this statement and some backup materials with your Clerk and thank you for your attention.

REP. FOX: Let me ask you a question if I might. This product you're referring to is called Cisco?

JAN LUSTER: Cisco.,

REP. FOX: And what is, if you know, the alcoholic content in that?

JAN LUSTER: Twenty per cent. By volume.

REP. FOX: I'll have to plead ignorance to the fact that I'm not particularly familiar with this problem. That's one reason we have public hearings. To what extent have you seen it as a problem in the general populous. You obviously have had been, or been advised of some instances in which people, I guess young people, in particular, have made use of the product without realizing the amount of alcohol in it. How bad, how big a problem is it from your perspective?

JAN LUSTER: It is reported that young people have died by virtue of using the product. There was one in the Washington, D. C. area. Our investigations in the Bridgeport area, the Bridgeport region, all of the suburbs that surround Bridgeport, that's the RYSAP region, show that the product is available in that area. The distributor does sell there. There have been no recorded instances at the local hospitals of any acute poisoning by this product in our area, in our region.

000596

32  
aak

GENERAL LAW

March 5, 1991

But as I started to say, we are a prevention committee and I think I come to you a little late if one death occurs. I mean, we're here to prevent that from happening in our region, as well as in the State.

REP. FOX: One thing that we might want to check on, and I'm not sure whether this issue was already raised this morning, but we can check with the Liquor Commission as to whether or not that can be done, that type of action can be taken administratively. I don't know whether it can or not, but it may well be able to be done by the Commission without the necessity of formal legislation funneling through the House and the Senate, but we'll find that out. Okay?

JAN LUSTER: Thank you.

REP. FOX: Yeah, I'm sorry, go ahead, John.

REP. ZAJAC: Representative Zajac, for the record. Ma'am, in the area that it's available now, do you find it in liquor stores or in super markets, or both?

JAN LUSTER: It is my understanding that it is liquor stores, package stores.

REP. ZAJAC: Okay, just package stores, because as you know, wine coolers, I believe, can be sold in super markets because of the low content of alcohol. I think you can find them as well as beer and wines in some supermarkets, but I'm not sure of that myself. I was just wondering if you found it in supermarkets or just the package stores?

JAN LUSTER: Package stores.

REP. ZAJAC: Package stores. Thank you.

REP. FOX: Stan.

REP. KRAWIEC: In other words, this item could only be sold in a place that has a permit to sell the liquor. Correct?

JAN LUSTER: Correct.

000597

33  
aak

GENERAL LAW

March 5, 1991

REP. KRAWIEC: Okay, can you enlighten me on the rules of proof, what has to be labeled, where it starts at, in other words, wine coolers. Wine coolers are what proof? Do you have any idea?

JAN LUSTER: I cannot. Wine coolers have about 1/4th of the volume, of the alcohol content by volume, it is my understanding.

REP. KRAWIEC: And yet they have to be labeled, don't they?

JAN LUSTER: Right.

REP. KRAWIEC: Why is it that something as strong as 18 proof, you say, they don't put a label on this product at all?

JAN LUSTER: Sure there's a label on it. I guess --

REP. KRAWIEC: Of proof.

JAN LUSTER: The confusion, Sir, is that it is usually placed by wine coolers. It looks like a wine cooler. The packaging would resemble that of a wine cooler. It smells like a wine cooler. This product tastes like a wine cooler, and therefore could be easily confused, and the public could be misled.

REP. KRAWIEC: But this is actually labeled 18 proof, I mean, is that not proof, but 18 proof by volume, or whatever it may be.

JAN LUSTER: The new packaging, the manufacturer has agreed to not only repackage, which this is the proposed new packaging, but the label will have larger letters to state that it is not a wine cooler and that it has 20% volume. Now, this hasn't hit the market, but this is what's proposed and what they've agreed to do.

REP. CARUSO: Just for clarification, Stan. Under the Cisco drink right now, it does list as a wine cooler. It's called a wine cooler. And under their new suggestion of labeling, they still have what I consider deceiving in the sense that in

000598

34  
aak

GENERAL LAW

March 5, 1991

large letters across the label it says Orange, the flavor, and it's leading to be some type of a wine cooler drink of that sort.

JAN LUSTER: Excuse me, Representative Caruso. This comes in five flavors, Red, Peach, Orange, Berry and Gold. It's known on the street as liquid crack. That might help a little bit. Furthermore, it has been sold in single bottles rather than in a four pack like most other wine coolers, so there is also that distinction.

REP. DANDROW: Good morning, Representative Dandrow. I was wondering, do you know how common or how widely used this is at establishments of bars and restaurants. What if I went in and asked for a wine cooler, would it be considered one of the wine coolers that would automatically be served?

JAN LUSTER: I do not know.

REP. DANDROW: You don't really know.

JAN LUSTER: I do not know.

REP. DANDROW: It might be interesting to find that out. I'd hate to think you were getting a wine cooler and got that amount. It would be a little devastating. Thank you.

REP. FOX: Okay, any other questions? Thank you, Ma'am. Our next speaker is a Mary Bruce.

MARY BRUCE: Good morning.

REP. FOX: Good morning.

MARY BRUCE: My name is Mary Bruce. I work for 4-H. I'm also a local elected official in Bridgeport. As a youth worker and elected official, I am asking for your support of HB6163 to protect our future leaders from this threatening beverage that is being marketed in our community.

REP. FOX: Questions. Thank you very much. We also have listed Alan Wilensky to speak on that.

000599

35  
aak

GENERAL LAW

March 5, 1991

ALAN WILENSKY: Good morning again. My name is Alan Wilensky. I'm president of the Connecticut Package Store Association, and on this particular topic I'd like to say that I also sit on the board of directors of the National Liquor Stores Association.

We feel that this particular issue should be left to the Bureau of Alcohol, Tobacco and Firearms which is responsible for the classification and labeling of beverage alcohol products. This (inaudible) would also prevent the need for companies under this, or any circumstances to provide state specific packaging.

I'd also like to comment on some of the testimony that was brought forth this morning. With all due respect, Representative Caruso, I don't believe that this product has been labeled as a wine cooler. Perhaps I'm wrong. I don't happen to sell the particular product.

Also, this particular product would not be allowed to be sold in grocery stores for Representative Zajac.

Many products on the shelf are 20% alcohol by volume. All fortified wines, cherries, Muscatel, Ports, things of that nature.

REP. FOX: How about wine coolers.

ALAN WILENSKY: Wine coolers typically are of a lower alcohol content.

REP. FOX: What is normally the alcoholic content in a wine cooler?

ALAN WILENSKY: Approximately 5% or 6%.

REP. FOX: Five or 6%.

ALAN WILENSKY: Yes. This particular product, however, our national association has been in contact with Canon Dega Wine, the manufacturer of this product. It is true that they are now in the process of repackaging this product. It will be

000600

36  
aak

GENERAL LAW

March 5, 1991

completely revamped, and at no time have they ever brought forth, that I'm aware of, that they wanted to be packaged near or as a wine cooler.

REP. FOX: Where would I find it in my local liquor store? With the wine coolers?

ALAN WILENSKY: That is a marketing decision by the individual package stores. Again, I do not sell the product, but again, the product is clearly labeled as 20%.

I would also like to bring up the comment that it's been called liquid crack. I saw the original article that this was done, I believe it was out of Washington, D. C., where they got a particular young person, I'm not sure exactly the age, to make this particular quotation. That particular quote has been blown a way out of proportion. I don't believe you can call this product liquid crack. I think that's a horrendous misconstruance of the nature of the product.

Again, there are many products that are on the market that are 20%. I don't feel that this particular product should be singled out. It is really not necessary.

REP. FOX: Let me ask you this. Let's assume for the sake of argument that it is in fact, and there seems to be some dispute on this, but let's assume for the sake of argument that it is in fact advertised, sold, and called a wine cooler. Okay?

If in fact that is established to be the case, would you agree that in terms of the general public and the protection of the general public and the knowledge the general public has in conjunction with the purchase of this type of product that there ought to be some action taken to clarify what it is that people are buying?

ALAN WILENSKY: I'm not sure of the manufacturer of the product as to what they use in order to get it up to 20%. Again, a basic wine averages out at 12%. Therefore, if you add fruit juice or club soda, or however the particular product is made to make it a wine cooler, it would therefore decrease the alcohol content of that product.

000601

37  
aak

GENERAL LAW

March 5, 1991

I don't know how Canon Dega manufactures the product, so I don't know how they get up to 20%. If it is wine based, if the BATF allows them to, again, I'm not aware that it's labeled as a wine cooler, but it must go through BATF. Therefore, if the BATF it can be labeled a wine cooler, which I don't believe it is, then that would be, and it would be up to the consumer.

It's stated, by law, it must have alcohol content on it.

REP. FOX: Let me ask you this. If I drink wine coolers, and all the wine coolers are kept in a certain area of the liquor store and as a matter of practice, wine coolers I know are 5% or 6% alcohol. Don't you think there's something wrong with a product which appears to be a wine cooler, looks like a wine cooler, sold as a wine cooler, and is out there with the other wine coolers. Don't you think that there's something wrong with suddenly finding that one of those products has an alcohol content which is significantly more than one would expect to find in a wine cooler?

ALAN WILENSKY: I would, it's possible, yes. However, on the other side of that, this point really has been rendered moot by Canon-Dega in their repackaging and remarketing of the product.

REP. FOX: Okay, and I have not looked closely at that proposed repackaging. But that would assume that the repackaging makes it clear that it is different from what you anticipated you would be obtaining if you bought that product.

ALAN WILENSKY: The product is also available in 750 mililiter bottles also, and that is specifically different than the way a wine cooler would be manufactured. Canon-Dega's working with all the national organizations to redress this problem.

REP. FOX: Chris, go ahead.

REP. CARUSO: Yeah, if I could just point out that the rise to this whole thing is when I went over a constituent's house and we started talking about other matters and then I got into this legislation

that I was thinking of introducing, and he went to his refrigerator and came out with a Cisco wine cooler and it was clearly labeled wine cooler. And I was sitting there with him and I asked him about the drink and he said, first of all, the taste is horrendous, okay, it's not even similar to what a wine cooler is.

I don't drink, but I do occasionally, if I have a wine cooler or something like that, I can basically taste what a wine cooler would be. But he stated it was horrendous. As a matter of fact, he said after one bottle, it was a small bottle, it wasn't even that large, possibly a half a pint in size to a pint at tops, when he finished that bottle, he had a tremendous buzz on, if you will, and to a point where you know, he was feeling no pain.

Now, for my impression of a wine cooler, that's extremely strong. And as far as what they're changing the labeling, they've only considered that a week ago, the Cisco product makers, that they considered and suppose they are going to change the labeling, which is not going to take place immediately, and even the labeling is deceitful in the sense of the announcement of the flavor which is prominent on the label itself, and so that's where my concerns come in.

REP. FOX: I think, Ray, you were next and then Craig.

REP. COLLINS: My understanding is that this stuff tastes so horrible that they couldn't give it away until it became a matter of public attention here. But you said that they're coming out with new packaging. I may have missed it. Did you say when that is going to be available on the shelves in the new packaging?

ALAN WILENSKY: No, I'm not aware of that. At our last national meeting, which was January, we were aware that Canon-Dega was already in the process of retooling to bring a new package out on the market.

REP. COLLINS: Could you guesstimate of how long a lead time it would take?

ALAN WILENSKY: I really don't know what their lead time is at Canon-Dega.

000603

39  
aak

GENERAL LAW

March 5, 1991

REP. COLLINS: Okay, thank you.

REP. TAYLOR: Do you own a package store yourself?

ALAN WILENSKY: Yes, I do.

REP. TAYLOR: Do you sell rum?

ALAN WILENSKY: Yes.

REP. TAYLOR: What's the average proof of a bottle of your average rum?

ALAN WILENSKY: Approximately 80 proof.

REP. TAYLOR: Do you sell Bacardi 151 proof rum?

ALAN WILENSKY: Yes, I do.

REP. TAYLOR: Do you have to have any special requirements in labeling for that, since it's got roughly twice the alcohol volume as the normal rum?

ALAN WILENSKY: Not that I'm aware of. Oh yes, first of all, all alcoholic beverages, to my knowledge, must contain on the label, what proof it is, either in percentage alcohol or in proof. This particular product also has a government warning asking consumers to keep it away from open flames.

REP. TAYLOR: But is it sold in the same shelves as the regular rum?

ALAN WILENSKY: Yes.

REP. TAYLOR: And there's no sign that says, this has got twice the alcohol volume or anything like that, other than your normal bottle of rum says 80 proof and this bottle says 151 proof.

ALAN WILENSKY: No. To my knowledge it's not necessary to have that any more prominently displayed on the label than it would 80 proof, although most of them do have it in slightly larger print.

REP. TAYLOR: Have you received any complaints about

the fact that people were buying Bacardi 151 and not realizing it had almost twice the alcohol volume as a normal rum.

ALAN WILENSKY: No, Representative, I have not.

REP. TAYLOR: Thank you.

REP. KRAWIEC: You said we had wine, 11% and 12% by volume and we have wine 20% by volume, right?

ALAN WILENSKY: Yes.

REP. KRAWIEC: What is the difference between this here product Cisco, which is 18% by volume?

ALAN WILENSKY: Twenty percent by volume.

REP. KRAWIEC: What are we talking about here, I mean?

ALAN WILENSKY: The average table wine that most people would consumer, averages approximately 12% alcohol. There are wines on the market that are called fortified wines, which would be Ports, Sherries, etc. which are 20, to 22%, 24% alcohol, and it's a matter of the manufacturer and how those wines are made as to how that alcohol level is brought out. I can give you a technical description of how it's done, if that's what you want.

REP. KRAWIEC: So actually between Cisco and a Port wine --

ALAN WILENSKY: Very little.

REP. KRAWIEC: Basically, it should be the same, correct? With the exception that the argument is that they are calling it a wine cooler, and a wine cooler is supposed to be known as a mild drink.

ALAN WILENSKY: Well, I don't know what the BATF regulations are as far as what the wine coolers are. The ones I've seen are lower in proof, but I don't believe there's any restriction to that nature.

REP. KRAWIEC: You don't know what the regulations are

000605

41  
aak

GENERAL LAW

March 5, 1991

on it? If you're calling a product a wine cooler, and what the proof should be, how high they can go up on it?

ALAN WILENSKY: No, I do not.

REP. CARUSO: Thank you, Mr. Chairman. To follow up on what Chairman Fox asked earlier, with regard to the location of this product within the store, and it seems to me your main concern is that this should be done on a national level because we don't want individual products specifically labeled by the State, is that it?

ALAN WILENSKY: I think that's going farther than it needs to be done. Also, I feel that the, I was not aware that Pennsylvania has banned it. I don't believe that banning products is the answer, either.

REP. CARUSO: Okay. Would it be possible when you have this product on the shelf, to include on the shelf a warning that says, Cisco, Warning the Surgeon General of the State of Connecticut has warned that Cisco contains 20% alcohol by volume, or something to let them know that this is greater than, it doesn't affect the product but it allows the purchaser to know that this is a unique product.

ALAN WILENSKY: I, myself, am against warning labels of any kind, whether it be on spirits or otherwise. As our respective associations. My feeling is this should probably, could more than likely be settled easily by Canon-Dega printing, somewhat more prominently on the package that it's 20%. Every other, the product is marketed. That's their decision really as to how it's marketed, where they would like to be placed as a recommendation and they seem to be willing to change to the morays of the society, and I believe that they are doing that. So I really don't feel that the legislation is necessary.

REP. CARUSO: Well, assuming we pass the legislation, which would be more offensive to your industry, assuming that this might not be the only product. You know, I'm not talking about Port or Sherry or all those other things. I'm talking about any, if this trend catches on to this highly fortified wine

000606

42  
aak

GENERAL LAW

March 5, 1991

cooler, would such a warning label be less offensive to the people of your industry, attached to the shelf or on each individual bottle?

ALAN WILENSKY: We would go on record as opposing any warning label.

REP. CARUSO: Understood.

ALAN WILENSKY: If I was to break from that philosophy which would I prefer?

REP. CARUSO: Yes.

ALAN WILENSKY: From a business point of view solely, I would prefer that it be placed on the product, therefore it would alleviate my responsibility from placing it on the shelf for any or all products that this legislative body decided that I would have to.

REP. CARUSO: Thank you.

REP. FOX: John, do you have a question?

REP. ZAJAC: Yes. Representative Zajac. As your last statement kind of contradicts one of your earlier statements, I made notes that you said earlier in rebuttal that the product was clearly labeled 20% and then just now, and I think that that seems to be a matter of controversy from the woman that testified earlier, she said she didn't think it was, and you wrote down, you said it was clearly labeled, marked or labeled, and I looked at this as a labeling bill.

One saying, anything saying wine cooler should be labeled such. You said it was labeled. And then you just said Canon-Dega is in the process of relabeling it or making it more clear. Where is it marked, presently, where is marked on the back, on the front, is it bold type, I mean, how big is the type?

ALAN WILENSKY: I can't answer the technical questions of that. Again, I do not sell this particular product. That is my particular market decision.

000607

43  
aak

GENERAL LAW

March 5, 1991

REP. ZAJAC: Well, but you made the statement, Sir, you've got to be familiar. You're testifying against it and you must be familiar with the product, the bottle, the label. You made statements that it's clearly marked.

ALAN WILENSKY: The product must be labeled and is labeled with the percentage of alcohol on it. As far as my, how large I would like to see it --

REP. ZAJAC: How large is it presently, that's my question. Present bottle, if I go down to Bridgeport or wherever it's being sold, in the marketplace, and I see it on the shelf, am I going to be deluded to the fact that it's a regular wine cooler, or do I in fact see right on the front like wines, or bourbons, or rye, you see 80% vodka, boom, 80%, 100%.

ALAN WILENSKY: Well, the percentage of alcohol on any product isn't necessarily what you would call prominent. It is included on the label. Typically it's in rather small type because there is more information on the product that they would like to advertise than the actual percentage which is required by law. But I don't know the exact dimensions in inches or --

REP. ZAJAC: Then you don't know. Okay, you're making statements but you really don't know about the product and I would tell you that you can very readily identify, and I do, on the Smirnoff, if I want the 100 proof, the blue and white label, or silver label, or the red and white. One is 80, one is 100 and you can see it about this big on the bottle. There's no question. It's labeled visibly.

Okay, next question. What about the price? They said here in testimony that it's next to all the other wine coolers that at 5% and 6%. I would think that by the sheer percentage of alcohol that the price differential between a 5% wine cooler, setting side by side with a 20% wine cooler, somebody's got to pay for the differential of the alcohol, that the price differential must be quite substantial, and if I was a consumer comparing wine

000608

44  
aak

GENERAL LAW

March 5, 1991

coolers and I was in there to buy a wine cooler, unless the flavor of one motivated me one or the other, the price is another factor.

What is the price differential of the 5% wine coolers versus Cisco?

ALAN WILENSKY: It is more. I don't have exact retail prices. I can, again, there's no restriction as to what you can sell it at, therefore, the retail selling price would be up to the individual retailers.

REP. ZAJAC: I know, but I'm going on average prices here. I'm trying to get a disparity of pricing that one is 4 times the percent of alcohol, it's got to be price different. I'm talking average retail regardless of the markup of one or the other. That's it.

REP. FOX: Chris.

REP. CARUSO: Just very quickly, Sir. As a follow up to Representative Taylor's comments about the Bacardi and different types of stronger liquor, if you will. In your store, how do you display the Bacardis and let's say the vodkas, the gins, and all the other types of alcohol.

ALAN WILENSKY: They're displayed by type of alcoholic beverage.

REP. CARUSO: Okay, are they in more restrictive area, would you say?

ALAN WILENSKY: Restrictive?

REP. CARUSO: Yeah, in the sense that it's behind a counter or something of that nature, or is it all just open on the marketplace?

ALAN WILENSKY: No, Sir, all the products I sell are available to the consumer.

REP. CARUSO: Okay, they're just open, then.

ALAN WILENSKY: Yes, Sir.

000609

45  
aak

GENERAL LAW

March 5, 1991

REP. CARUSO: Now, a wine cooler in your opinion, what is a wine cooler, and your being a package store person, what would it be in your opinion?

ALAN WILENSKY: In my lay person's definition?

REP. CARUSO: Yeah.

ALAN WILENSKY: A wine cooler would be a beverage, wine based, mixed with either fruit juice or some sort of, non-alcoholic mixer i.e., club soda, ginger ale, or something of that nature.

REP. CARUSO: Okay, hearing that explanation, how could you account then for the deviation between one wine cooler and another being so drastic in the amounts?

ALAN WILENSKY: Again, I don't know how they manufacture Cisco.

REP. CARUSO: Okay, thank you.

REP. FOX: Any other questions?

REP. KRAWIEC: One more question. I have a handout here, or maybe I should say, if I drank a glass of Cisco that says 20%, by volume, and I drank a glass of Port wine which is 20% by volume, would there be a difference to me? Is it more dangerous if I drink Cisco instead of the Port wine? The same amount?

ALAN WILENSKY: I would assume not, unless there's something toxic in one of the beverages.

REP. KRAWIEC: There isn't anything toxic.

ALAN WILENSKY: The percentage of alcohol by volume in that respect, the beverages would be of equal rank in that nature.

REP. KRAWIEC: Well, this is what I can't understand, why we are after Cisco, I never heard of the product myself, and when we describe it, we're still talking about the same amount, 20% by volume and also in other wine that's been on the market for years and years of Port wine and whatever those

are, a matter of fact before the 11% and 12% came on, I believe we used to have the Port wines and Sherries and they were all 20% by volume, I think.

So what I can't understand what we are making such a big deal out of this Cisco.

ALAN WILENSKY: Nor can I, that's my point.

REP. CARUSO: Just, if I could, I'm just not following the line here. If you're saying that Port wine is 12%.

ALAN WILENSKY: No, Sir, 20%.

REP. CARUSO: Okay, Port wine is 20.

ALAN WILENSKY: Yes.

REP. CARUSO: Okay, and you're saying that some wine coolers are in the 5 range, correct? That's what you've said on the testimony.

ALAN WILENSKY: Yes.

REP. CARUSO: Then if a wine cooler's in the 5 range and Cisco is in the 20, then apparently it's not a wine cooler, and yet it's been labeled as a wine cooler, and that's what seems to be so conflicting here in the testimony.

You've stated that you have wines that are in the 20, Port wine is roughly 20. You have wine coolers that are in the 5% range, yet Cisco falls in the 20% range and you don't see that as a problem.

It seems to me that it no longer is a wine cooler and it takes the role of a higher liquor. Just under your testimony which you've stated here today.

ALAN WILENSKY: Yes, there are Port wines that are higher in percentage. There are other products that are lower in percentage.

REP. CARUSO: Okay, but if a wine cooler, under testimony today you stated that a wine cooler has as a range of 5%, it's a smaller amount.

000611

47  
aak

GENERAL LAW

March 5, 1991

ALAN WILENSKY: Those are the ones that I have seen, but I don't say that they couldn't be higher.

REP. CARUSO: I will take your testimony as being expert in the sense that you do sell liquor. You've seen wine coolers that range in the 5%. Now, for argument's sake I will accept that. Cisco is in the 20% range, which apparently is a wine, and yet it's being labeled as a wine cooler. Just by mere numbers, it is not a wine cooler, but it's under the definition of a wine cooler.

And Stan, I think that's where my comment is coming in. It should be labeled as a wine, and it should be classified as a wine and the public should know it as a wine, not as a wine cooler. It's deceitful as a wine cooler, and there are State statutes about deceitful advertising. That's where my concern is coming in.

And under your own testimony, being an expert, as I've stated, and package stores, I think you've done nothing more, as far as I'm concerned, about underscoring the need for the proper labeling.

REP. TAYLOR: Representative Taylor. I want to try to understand your testimony because it's somewhat cloudy now on that last exchange there. Did you say that a wine cooler is a drink of lower alcohol, or did you say that a wine cooler is a drink that is wine based and mixed with some other juice or soda or something else?

ALAN WILENSKY: I stated that a wine cooler was a wine based beverage. I do not preclude that the alcohol content could not be higher by that statement.

REP. TAYLOR: If you were to, and I can't imagine anyone wanting to do this, but let's assume someone made a Port wine, wine cooler, and you're starting off with a wine of a higher alcohol level and you're mixing it to some degree with a mixer, would it not be safe to assume that that would probably have a higher alcohol level than the average wine cooler which is mixed with a wine of a lower alcohol volume to begin with.

ALAN WILENSKY: Yes, it would.



STATE OF CONNECTICUT  
DEPARTMENT OF LIQUOR CONTROL

000671

\* Pg. 4  
line 8  
Jadonick

March 5, 1991

GENERAL LAW PUBLIC HEARING

Although it appears your Committee has devoted this entire public hearing to the Department of Liquor Control, for which we are gratified, there are several bills on the agenda that the Department will not take a stand on. Although I can answer questions for you at the end of my presentation.

Those bills are:

HB-6986 AN ACT CONCERNING FARM WINERY PERMITS

SB-752 AN ACT PROHIBITING ANY PLACE OF RECREATION WITHOUT A LIQUOR LICENSE FROM ENCOURAGING CUSTOMERS TO BRING ALCOHOLIC LIQUOR ONTO THE PREMISES IF SUCH PLACE IS COMMONLY FREQUENTED BY MINORS

SB-384 AN ACT CONCERNING THE MANDATORY REFUSAL OF LIQUOR PERMITS TO CERTAIN PERSONS

HB-6163 AN ACT CONCERNING THE LABELLING OF ALCOHOLIC BEVERAGES WITH AN ALCOHOL CONTENT EXCEEDING EIGHTEEN PROOF, (the manufacturer of Cisco has agreed to change the packaging)

HB-5950 AN ACT CONCERNING CLARIFICATION OF THE DRAM SHOP ACT

HB-6160 AN ACT CONCERNING LIABILITY AMOUNTS UNDER THE DRAM SHOP ACT

SB-172 AN ACT CONCERNING PERMITS FOR THE SALE OF ALCOHOLIC LIQUOR WHEN THE APPLICANT IS AN ESTABLISHMENT PROVIDING ENTERTAINMENT

000689



## United Way

OF EASTERN FAIRFIELD COUNTY

### Regional Youth Substance Abuse Project

75 Washington Avenue, Bridgeport, Connecticut 06604

TEL.: (203) 333-3333 • FAX: (203) 334-3297

Ladies and Gentlemen:

A product is available which has the potential to cause acute alcohol poisoning and possibly death to unknowing and unsuspecting consumers. This beverage is bottled by the Canandaigua Wine Company of New York. It is called "CISCO".

Up until now this product has been bottled like a wine cooler, placed next to wine coolers, comes in flavors, smells like a wine cooler, and is called a dessert wine. It is easy to see how customers would be misled. The fact is that the product is dangerous: It has a labeled alcohol content of 20% by volume (40 proof). A 375 ml bottle (approximately 12 oz.) contains the equivalent of 5 shots of 80 proof vodka. Consumption of 2 bottles within one hour can lead to alcohol poisoning -- acute alcohol poisoning causes death.

The RYSAP Prevention Committee hopes that by bringing this information to your attention, the Connecticut Senate and House of Representatives will be concerned enough for the health and well being of Connecticut's citizens to support Committee Bill #6163 that states: "No alcoholic beverage with an alcohol content that exceeds eighteen proof shall be labeled as a 'wine cooler'."

We hope, also, in making your decision, that you remember that all those who drink "CISCO" may not be the ones who make the purchase -- they may be kids or teens or others who believe they are drinking a wine cooler type of beverage.

Please help keep our communities safe for every one of us.



It brings out the best in all of us.

000690



# NCADD News

NATIONAL COUNCIL ON ALCOHOLISM AND DRUG DEPENDENCE, INC.

12 WEST 21 STREET  
New York, NY 10010  
212/206-6770 FAX 212/645-1690

For More Information, Contact:  
Jeffrey Hon, Director for Public Information  
212/206-6770

*For Immediate Release:*

## **REPACKAGING OF CISCO TO ELIMINATE CONFUSION WITH LOW-ALCOHOL WINE COOLERS**

Just six months after the National Council on Alcoholism and Drug Dependence (NCADD) and the Center for Science in the Public Interest (CSPI) initiated their aggressive grassroots campaign to alert Americans to the dangers of Cisco, the manufacturer of the high-alcohol content wine has announced plans to repackage the product so that consumers can no longer confuse it with low-alcohol wine coolers.

"Thanks to the combined efforts of government agencies, elected officials, doctors, law enforcement personnel, NCADD Affiliates, consumers, concerned parents and retailers, the Canandaigua Wine Co. has finally taken meaningful action," said Christine Lubinski, NCADD Director of Public Policy, who met with representatives of Canandaigua on February 6 in Washington, DC. "But while the company is to be applauded for taking this necessary step to eliminate consumer confusion, Cisco will continue to threaten the public safety until Canandaigua actually begins producing the new bottles and all existing inventory has been depleted. So long as the deceptively packaged bottles of Cisco are available, we will urge retailers to participate in our 'No More Surprises' campaign by refusing to carry this product which, even after repackaging, will remain an illegal and potentially lethal drug for anyone under the age of 21," she added.

Since Surgeon General Antonia Novello formally announced her concerns about Cisco at a press conference early in January, Canandaigua Wine Co. has been under

--OVER--

000691

increasing pressure to change a marketing strategy that may have contributed to at least 16 documented cases of Cisco-related alcohol poisoning last year. Twenty-seven members of Congress, led by Representative George Miller (D-CA), urged Canandaigua to change Cisco's bottle. During this period, the Bureau of Alcohol, Tobacco and Firearms announced a proposed change in its regulations which, for the first time, would allow the size and shape of wine containers to be evaluated in conjunction with the placement of the label and the packaging of the product so that consumers could not be misled.

"If these regulations are implemented," commented Ms. Lubinski, "they may represent the real victory for our campaign because they demonstrate BATF's willingness to act in the best interests of the public health and allow products such as Cisco to be evaluated before they ever become a threat."

Even the alcoholic beverage industry joined in the outcry against Cisco. "When something becomes known on the street as 'Liquid Crack,' shouldn't there be some questions raised about a product's promotion that has helped create that imagery?" asked a recent editorial in Market Watch, a trade publication.

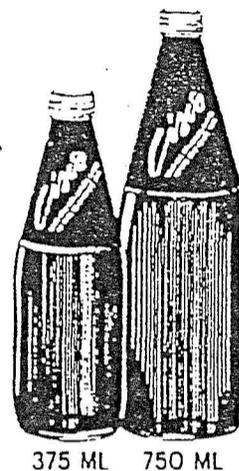
According to Canandaigua, the new bottle for Cisco will be made of dark green glass with a long slender neck and available by late spring. In addition to the warning that "This is not a wine cooler," (which now appears), the label for the 375 ml bottle will state that "This container serves four persons and is best served over ice." Currently, Cisco is bottled, according to Canandaigua's own promotional literature "cooler style," in clear glass containers, giving the 20%-alcohol-by-volume beverage the look of wine coolers that contain only 4% alcohol.

# # #

2/8/91

000692

## CISCO FACT SHEET



- is a fortified or "dessert" wine produced by Canandaigua Wine Company in New York State (Marvin Sands, Chairman, 116 Buffalo Street, Canandaigua, NY, 14424-1086, 716/394-7900)
- has a labeled alcohol content of 20% by volume (40 proof); a 375 ml bottle (approximately 12 oz) contains the equivalent of five shots of 80 proof vodka
- is known on the street as "liquid crack"
- is often stocked in convenience stores near ordinary wine coolers even though it has approximately four times the alcoholic strength of the most popular wine cooler
- can cause consumers to exhibit significant behavior changes, including: impaired judgment, disorientation, loss of motor control and consciousness
- comes in five flavors: red, peach, orange, berry, gold
- is bottled in two sizes: 375 ml and 750 ml
- is sold in single bottles, rather than in "four racks" like most other wine coolers
- generally ranges in price from \$1.50 for the smaller bottle to \$2.50 for the larger, though many stores sell it more cheaply

*Consumption of a single 375 ml bottle of Cisco within one hour by a person weighing 150 pounds or less will result in a blood alcohol content level of .11, over the legal limit for driving while intoxicated in every state except Georgia.*

*Consumption of two 375 ml bottles of Cisco within one hour by a person weighing 100 pounds or less may cause death due to acute alcohol poisoning.*

000693

## Cisco Called "Liquid Crack"

The National Council on Alcohol and Drug Dependence, Inc. cites the recent death of a California youth who had been drinking Cisco as the reason for greater urgency in the campaign to stop production of this fortified wine product. Bottled by Canandaigua Wine Company, one soft-drink size bottle contains the equivalent of five shots of vodka.

According to Christine Lubinski, NCADD Public Policy Director, "Cisco poses the greatest threat to women and underage drinkers because consumption of two small bottles within one hour by a person weighing 100 pounds or less may cause death due to acute alcohol poisoning."

The product is so potent that some refer to it as "liquid crack." Critics have also charged Canandaigua with deceptive marketing. Cisco looks, tastes, is priced and packaged like a wine cooler. NCADD urges communities nationwide to write letters asking corporate chairman Marvin Sands to withdraw Cisco from the market. For more information, contact Jeffrey Hon at (212) 206-6778.



*A Program of Wheeler Clinic*

334 Farmington Ave. (Rt.10)  
Plainville, CT 06062

000694

### A "Wine Fooler"

*Reprinted with permission from Booze News Vol.2, NO. 4, Oct. 1990*

The Center for Science in the Public Interest, the National Council on Alcoholism and Drug Dependence, Rep. John Conyers (D-MI), and Surgeon General Antonia Novello have all called for the removal of Cisco, a fortified wine sold like a wine cooler, from the marketplace. At a Washington, D.C. press conference, Conyers said that Cisco looks like a wine cooler but has the alcohol equivalent of five shots of vodka.

Cisco comes in fruity flavors including peach, orange, and berry, and contains 20% alcohol (40 proof). Wine coolers typically have 4% to 5% alcohol content. Cisco is packaged in a bottle similar to those used for wine coolers and is frequently sold chilled, right next to wine coolers and even non-alcoholic beverages in many stores.

The manufacturer of Cisco is the Canandaigua Wine Co., which also produces Wild Irish Rose, a fortified wine sold predominantly to late-stage alcoholics. Canandaigua purchased Cisco in 1988 and is now rapidly expanding distribution of the beverage, which used to be sold in just a few states.

Because of its high alcohol content and the effect it has on people who drink a bottle of lower-alcohol-content wine cooler, Cisco has been called "liquid crack" by some Washington D.C. residents.

Consumers have complained of headaches, nausea, dramatic changes in behavior, and a host of other reactions to Cisco. Many first-time Cisco drinkers think their bottle has been contaminated. In fact, it's the dangerously high alcohol level that they feel.

Despite its innocuous look, there's enough alcohol in one small (375 ml.) bottle of Cisco to raise the blood-alcohol level of a 150-pound person to .11 if he or she drinks the bottle within an hour. That would make the person legally intoxicated in most states.

Cisco is not advertised on radio or TV. Point-of purchase promotional materials found in stores were featured at the press conference. They carry the Canandaigua Wine Co.'s marketing slogan, "Take You By Surprise." The promotional materials are aimed at African-Americans.

The federal Bureau of Alcohol, Tobacco and Firearms (BATF) does not have any legal authority to force Canandaigua to take Cisco off the shelves, because the company's label complies with federal labeling laws. Earlier this summer BATF tried unsuccessfully to halt the production of Cisco. That's why consumer pressure and heightened media attention are the only recourse.

The first goal is to warn consumers about Cisco so they aren't fooled and harmed. The second goal is to seek the immediate removal of Cisco from stores.

#### What You Can Do

- 1) Find out if Cisco is on sale in your community. (Cisco's distribution has expanded to 40 states within the last few months.) Find out how it's being sold, if it's available chilled, next to lower-alcohol beverages, etc.
- 2) Gather information about alcohol problems in your community among young people, women, minorities, and other potential Cisco drinkers.
- 3) Alert the media to Cisco's availability, warn consumers about its dangers, and call for its removal from the marketplace.
- 4) Write to: Mr. Mavin Sands, President  
Canandaigua Wine Company  
116 Buffalo Street  
Canandaigua, New York 11424

Ask him to stop selling Cisco as it's presently packaged. (Make sure to send copies of your letters and the information you have gathered to your elected officials and the local press.)

000695

NEW YORK TIMES ... February 4, 1991

## A Potent 'Designer' Drug

Fentanyl, scientists say, is a powerful tranquilizer used in surgery that has been redesigned many times by underground chemists seeking to create synthetic forms of heroin that can be made cheaply in the laboratory.

To addicts, these synthetic drugs are just as enjoyable and addictive as heroin derived from opium poppies.

Dozens of variants can be created by tacking on or snipping off groups of atoms. Because laws outlawing drugs are based on specific chemical formulas, such "designer drugs" are legal until they are broken down in govern-

ment laboratories and laws are rewritten to ban them.

One variant, alpha-methyl-fentanyl, was first sold on the streets in 1980, Darryl Inaba, treatment director for the Haight-Ashbury Free Clinic in San Francisco, reported in 1985. It turned out to be 1,000 times as potent as fentanyl, he said, and at least 20 people died of overdoses.

During the 1980's, more than 100 people, most of them in California, Oregon and Arizona, died of overdoses of fentanyl variants, and 18 people died in Pittsburgh from a variant called 3-methylfentanyl in 1988.