## ATTACHMENT 1

# Single-Serve Alcoholic Beverages

# Alcohol that is packaged for immediate consumption can lead to public drinking, crime and violence

#### What are Single-Serves?

Alcoholic beverages that are packaged for consumption by a single individual at a given time are known as "single-serves." These products may contain beer, distilled spirits or alcoholic energy drinks, which, in addition to alcohol, usually contain caffeine as well as other stimulants. However, the most common single-serve items are bottles and cans of beer, ranging in size from 16 to 40 ounces. Such items often have higher alcohol content than regular beer, making them more potent.

#### **Problematic Packaging**

Single-serve alcoholic beverages are considered problematic for a number of reasons. First is that excessive amounts of alcohol are being packaged for consumption by a single individual. This is especially true of the high alcohol content beer known as malt liquor. With 6 percent alcohol content being standard, a 40 ounce bottle of this kind of product is equivalent to five shots of whiskey. Since it sells for as little\$1.39 a bottle, it is the cheapest way for someone to get drunk. This makes it a favorite among the homeless and other serial inebriates, including those receiving public assistance, according to research.

Secondly, single-serve products are routinely offered for sale cold and ready to be consumed. This frequently



Since Hispanic customers prefer lemon with some types of beer, one San Bernardino store offers fresh lemons so that the product can be consumed immediately after purchase. (Sign reads: don't forget the lemons)



24 ounce cans of beer are the most common type of singleserve alcoholic beverages being sold in San Bernardino, but 32 and 40 ounce bottles are also found in many supermarkets and convenience stores.

leads to public intoxication and a wide range of associated problems including driving under the influence, public urination, litter, and other disruptive behavior. According to research, such problems are reported on a regular basis by residents living in the proximity of retailers that sell single-serves. In addition, there are also

reports of crimes of violence, including gang-related activities, resulting in personal injury and/or property damage.<sup>4, 5, 6</sup>

#### **Underage Drinking**

Last but not least, it should be noted that the single-serve cans and bottles of beer are very popular with youth including minorities, to whom these products are specifically marA 40 ounce bottle of malt liquor is equal to five shots of whiskey.

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keted. This includes several advertising campaigns featuring African American music video stars promoting malt liquor in 40-ounce containers. In addition, since these products are typically priced low, they are more affordable for young people who have less disposable income. <sup>7,8</sup> As a consequence, these products may tend to increase problems related to underage drinking. These are known to include poor academic performance, high-risk sexual practices and an increased likelihood of drinking problems developing later in life. <sup>9</sup>

Issue Briefing

Coalition for a Drug-free San Bernardino

#### Crime & Violence

The connection between crime, violence and alcohol availability has been well documented by scientific research. <sup>10, 11, 12</sup> Furthermore, there is new evidence indicating that the consumption of single-serve alcoholic beverages may also play a part. For example, a 2006 study of Riverside crime statistics that found a correlation between such sales and higher gang crime. According to Dr. Robert Nash Parker, the author of the study, such products are a central part of the activities of gang members. "They sip 40-ouncers, they party, they get their courage up," it was noted in the report. <sup>13</sup>

Through GIS mapping studies, city officials in San Bernardino have also established a correlation between the sales of single-serve alcoholic beverages and the prevalence of crime. As noted on the map at right, reports from police of Part 1 property crime clearly demonstrate that such crime is clustered around alcohol licensees known as "Package Stores," most of which are currently selling single serves.

#### Single-Serve Sales in the City of San Bernardino

To identify the extent of the problem in the City of San Bernardino, a survey was conducted by the County Department of Public Health, Alcohol and Drug Abuse Prevention Program (ADAPP). As part of this effort, some 165 retailers licensed to sell alcoholic beverages were studied and data related to the sales of single-serves were collected. These included the different sizes and types of such items being sold as well as the amount of shelf space



Hip-hop artists Meth & Red doing a rap video ad for St. Ides Malt Liquor, a brand that targets African American youth.

allocated for them. Results of the survey, which was conducted in October of 2008, showed that these products are a staple in gas stations, convenience and liquor stores throughout the city, with over 88 percent of them having such items on their shelves. Other results of the survey are listed in the table below.

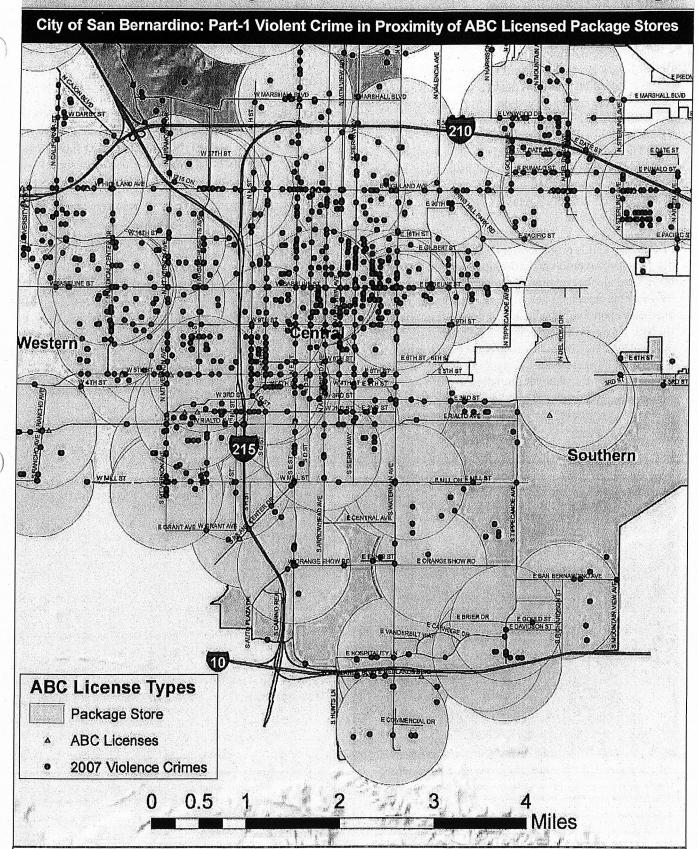
88 % of retailers surveyed in the City of San Bernardino were found to be currently selling single-serves.

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### Research Finding: Single-Serves in the City of San Bernardino

- Of the 165 off sale alcohol licensees that were surveyed, a total
  of 146 had alcoholic single serve items for sale. These stores included pharmacies, discount stores and some gas stations and midsize markets.
- All of the stores that sold singles had the items in various sizes, but
  the most frequently observed size was the 24 oz can. All of the
  super markets and many of the smaller off sale stores also sold
  alcohol in 32 oz and 40 oz size glass containers.
- All the major alcohol brands were being sold in single serve containers. Super markets that catered to the Hispanic community also included favorite Mexican beer brands Modelo and Tecate in 24 oz single cans.
- Most of the stores had between 6 and 8 cooler sections available for display of beverages. Of these, between 1 to 2 cooler sections usually had single serve products on display for sale.
- All the stores sold the higher alcohol content malt liquor in single serve containers. Alcohol was also available in regular beer, lite beer and lite malt liquor.

- Most super markets and many AM/PM type stores also sold singles shrink-wrapped in packages of 2 or 3 24oz. containers.
- It was noted that retailers located further south (central or downtown San Bernardino) and south west (Westside San Bernardino) of the city had the malt liquor products more prominently displayed in the cooler section at, or above, eye level. In the northern parts of the city the malt liquor had less shelf space and was often displayed below eye level.
- It was noted that approximately 10% of the stores had special ads/displays to promote single serve items such as barrels of ice or posted ads offering 2 for a reduced price. One store had a handwritten sign posted on the cooler door that stated you had to buy 2 singles at a time.
- One Hispanic super market had a special plastic container affixed to the cooler door that stated in Spanish: Don't forget the lemons!
- Stores that were visited between the hours of 2 pm to 5 pm were observed to have customers buying single-serve items. Such customers were mostly males from 25 to 45 years old.



GIS mapping of the Central portion of the City of San Bernardino shows how often violent crimes (red dots) occur within a one-half mile radius (indicated by the blue circles) from ABC licensed alcoholic retailers (blue triangles). Data collected by San Bernardino Police Department in 2007. Note: Part-1 crimes are a category of crimes that are generally considered more serious.

#### **Future Directions**

Although sales of single-serves are widespread in San Bernardino, it is actually illegal for some of the city's retailers to be selling products packaged in this way. This is because of restrictions placed on these businesses by the city at the time their alcohol license was issued. Known as a Conditional Use Permit, such regulations are intended to ensure the public's health and safety, and all retailers are required to comply with the restrictions imposed by them. However, as demonstrated by the survey cited previously, at least some of the city's retailers have been failing to meet this obligation.

In response to this problem, the Office of the City Attorney launched an enforcement campaign in May, 2009 to bring local alcohol retailers into compliance with all regulations. This campaign has been successful with cited businesses removing the banned products from their shelves. However, enforcement alone can not solve the problem, as many retailers are exempt from the ban, having been in business before it went into effect. Therefore, public officials feel that additional regulations are needed



After being cited for violating the restriction against selling single serve alcoholic beverages, a local convenience store removed the items from their shelves and posted a sign indicating they were no longer allowed to sell such items.

to deal with problem businesses. These may include a stronger conditional use permitting process for any new businesses and what is known as a "Deemed Approved" ordinance for those already in existence. In addition, there is another initiative currently under way to encourage voluntary removal of single-serve products from the shelves by retailers who are not currently required to do so by the law. Coordinated by the Office of the Mayor through the Operation Phoenix program, such action is expected to reduce crime and improve the local business climate.

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