

Powdered alcohol regulation advances in Missouri legislature

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JEFFERSON CITY — Powdered alcohol's potential to harm young Missourians inspired a state lawmaker to amend her quest to ban dehydrated booze.

After two unsuccessful attempts to ban the intoxicating mixer, Rep. Patricia Pike, R-Adrian, instead filed legislation this year not to ban powdered alcohol but to regulate it like liquid liquor.

Pike's bill went before the Senate Economic Development Committee on Wednesday. No votes were taken, though plenty was said.

The heart of the bill — Pike's desire to keep powdered alcohol out of the hands of minors — was discussed, but so were the numerous amendments to her bill that have won the support of big brewers like Anheuser-Busch while irking smaller liquor store companies like Brown Derby.

Dry booze

Powdered alcohol has been around for decades, but an Arizona company called Palcohol tried to establish a niche in the market. The Alcohol Tax and Trade Bureau in 2015 approved labels for five brands of powdered alcohol: rum, vodka, Cosmopolitan, Lemon Drop and "Powderita."

The product can be used like other powdered drink mixes such as Kool-Aid. Open the vodka-flavored powder packet, dump it in some orange juice, and voila: instant screwdriver.

But the Center on Alcohol Marketing and Youth at Johns Hopkins University noted that Palcohol's website mentioned some other uses for the product.



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Rep. Patricia Pike, left, testifies in support of her bill to regulate powdered alcohol on Wednesday, April 19, 2017, at the Capitol in Jefferson City. Also pictured, from left, are Sen. Ron Richard, legislative aide Barbara Mustoe and Sen. Jay Wasson, who chairs the Senate Economic Development Committee. *(Photo: Will Schmitt/News-Leader)*

"Yes, you can snort it," Palcohol's old website said. "And you'll get drunk almost instantly because the alcohol will be absorbed so quickly in your nose. Good idea? No. It will mess you up. Use Palcohol responsibly."

Given the amount of filler in Palcohol, the company [estimated](#) that it would take half a cup of powder up the nose to get the light buzz of one drink.

Government officials and health officials have raised concerns about the potable powder's portability making it easier for sly teenagers to sneak a drink. And unintentional over-consumption also could be a risk, according to the Johns Hopkins researchers.

Palcohol's website indicates that the company is now auctioning off its formula instead of selling pouches of boozy powder. The company's founder, Mark Phillips, did not immediately return a call seeking comment.

The hearing

Pike's bill, which also applies to alcohol in crystal and capsule forms, passed the House last week with bipartisan support and went before a panel of senators Wednesday. Committee chair Sen. Jay

Wasson, R-Nixa, kept the hearing moving and cycled through numerous witnesses besides Pike, most of whom supported the bill.

Pike said that most states have banned powdered alcohol and said all of Missouri's neighbors except Arkansas have some kind of Palcohol-related legislation on the books.

You may not be able to find a very dry martini mix in liquor stores, Pike told Wasson, but she said narcotics officers have encouraged regulation because dry booze is still coming into the state through internet sales. She has filed bills to ban powdered alcohol the past two years but said she moved toward regulation this year for progress' sake.

"I would love to ban it," Pike said, "and that could be a component later. But at least let's get it regulated."

This notion didn't receive too much opposition. What did spur debate, though, were the various amendments tacked on while the House had its hands on Pike's bill — and after the bill sailed through two committees with unanimous legislative support.

Pike said that while her aim was to protect young people, she recognized that the bill presented an opportunity to deregulate.

Sen. Jill Schupp, D-St. Louis County, questioned an amendment intended to speed up the approval of liquor label applications.

Sen. Caleb Rowden, R-Columbia, said he had talked with the small Logboat Brewing Co. in his district and had learned that while the federal approval process for a label change takes days, the same steps take several weeks at the state level.

Robert Pagano, another liquor lobbyist, said the current liquor labeling laws were "a bit of overkill, in our opinion."

Another amendment that was brought up for discussion would allow beer and wine companies to take advantage of Missouri's mail-in rebate laws.

Jennifer Durham, representing Anheuser-Busch, said the beer industry initially wanted to be exempt when the law allowing for manufacturer rebates was passed in the 1980s. "Now, we'd like to get in."

Durham also said A-B favored the labeling bill and said it would help the brewery when it came to getting labels approved in time to roll out seasonal beers.

Opposing the bill were representatives of smaller Missouri alcohol retailers, including Richard Brownlee, a lobbyist working on behalf of Brown Derby.

Brownlee said he approved of parts of the bill but said he thought it might violate the state's prohibition on omnibus bills by including too many disjointed subjects in a single bill.

"I think, for example, the powdered alcohol is a very important issue," Brownlee told the committee.
"... What I would urge you to do is to keep that in mind, that all this doesn't fit together."