

SENATE BILL REPORT

SB 5365

As Passed Senate, March 13, 1999

Title: An act relating to the preparation and sale of dietary supplements containing alcohol.

Brief Description: Regulating the preparation and sale of dietary supplements containing alcohol.

Sponsors: Senators Prentice and Winsley; by request of Liquor Control Board.

Brief History:

Committee Activity: Commerce, Trade, Housing & Financial Institutions: 2/9/99, 2/11/99 [DP].

Passed Senate, 3/13/99, 47-0.

SENATE COMMITTEE ON COMMERCE, TRADE, HOUSING & FINANCIAL INSTITUTIONS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Shin, Vice Chair; Benton, Gardner, Hale, Heavey, T. Sheldon, West and Winsley.

Staff: Catherine Mele (786-7470)

Background: The Washington State Liquor Control Board has a three-member board appointed for six-year terms by the Governor. The board's responsibilities include overseeing the sale and distribution of alcohol beverages in Washington State. In addition, the board enforces alcohol beverage control laws.

There are some exceptions to the alcohol beverage control laws. These exceptions relate to items that contain liquor, but are not manufactured for consumption as an alcoholic beverage. Examples include perfumes, lotions, and medications prepared by a druggist that contain alcohol.

Summary of Bill: Dietary supplements as defined by the federal Food and Drug Administration are exempt from liquor control laws. Exempt dietary supplements containing more than one-half of 1 percent alcohol must be labeled clearly, and the ingredients must be listed on the label as required by federal law.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The American Herbal Products Association believes that dietary supplements that are labeled properly to disclose alcohol as an ingredient and that are not fit for beverage use should be exempt from restrictions imposed on the sale of liquor in Washington. These dietary supplements are not subject to abuse because they are expensive products, and the way they are packaged makes them unfit for beverage use. The association does not endorse and is opposed to the sale of alcoholic beverages masquerading as botanical dietary supplements. This bill was brought to the Legislature by the Liquor Control Board, and the board supports this bill.

Testimony Against: None.

Testified: PRO: Rick Garza, Liquor Control Board; Michael McGuffin, American Herbal Products Assn.; Bob Fee, WA Retail Assn., WA Food Industry.