



State of North Carolina  
ALCOHOLIC BEVERAGE CONTROL COMMISSION

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March 27, 2015

Speaker Tim Moore  
N.C. House of Representatives  
16 W. Jones Street, Room 2304  
Raleigh, NC 27601-1096

Dear Speaker Moore,

The North Carolina Alcoholic Beverage Control Commission strongly supports House Bill 290 to Prohibit Powdered Alcohol.

Powdered alcohol, recently authorized by the federal Alcohol and Tobacco Tax and Trade Bureau, creates serious new public health and safety concerns, especially with regard to potential underage consumption. These concerns expressed by numerous public health, public safety and government officials include:

- Easy concealment — a packet of powdered alcohol could be tucked in school backpacks; and from a concealed packet the powder could surreptitiously be added to foods of an unsuspecting victims;
- Overuse — combining powdered alcohol with something other than water – such as liquid alcohol or an energy drink – would create potential for a dangerously potent beverage that does not have an easily understood percentage of alcohol by volume equivalent.
- Misuse — the powdered alcohol product could be snorted or combined with other alcohol-infused products such as whipped cream;

Several states already have enacted legislation to ban powdered alcohol: During 2014, Vermont, South Carolina and Louisiana enacted laws to ban the sale and possession of powdered alcohol products. Pennsylvania regulators have banned powdered alcohol for sale in state stores, and legislators and regulators in Michigan, New York, Minnesota, Ohio, New Jersey, Idaho, Mississippi, North Dakota, Iowa, Virginia, Colorado, and Wyoming are considering steps or have already begun the legislative and regulatory process to ban or limit the sale and use of powdered alcohol. 1

*("Powdered Alcohol: an Encapsulation," Dec. 2014, NABCA Research)1*

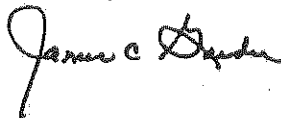
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The NC ABC Commission regulates alcoholic beverages. However, powdered alcohol is not defined as a beverage in our statutes, and so this product falls outside the regulatory authority of the NC ABC Commission. The proposed legislation is worded to address this issue by preventing this problem product from legally entering our state:

“ a1) Powdered Alcohol Prohibition. – It shall be unlawful for any person to manufacture, sell, transport, import, deliver, furnish, purchase, consume, or possess powdered alcohol.”

Please join me in protecting the people of North Carolina from this dangerous product by supporting HB 290 to ban powdered alcohol.

Sincerely,

A handwritten signature in cursive script that reads "James C. Gardner".

James C. Gardner  
Chairman