

STATE OF  
COLORADO

LED\_Rulemaking - DOR, DOR &lt;dor\_led\_rulemaking@state.co.us&gt;

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## Substance Abuse

1 message

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**tom Regan** <team-regan@hotmail.com>

Mon, Aug 19, 2024 at 3:13 AM

To: "dor\_led\_rulemaking@state.co.us" &lt;dor\_led\_rulemaking@state.co.us&gt;

I would like to first and foremost apologize for my inappropriate comment at the last meeting. I meant no disrespect to any segment of the industry, any member of the industry, any member of the committee, any member of the public, and certainly not the voters of the State of Colorado.

I am unfortunately sometimes stricken with a case of foot-in-mouth disease.

I hope everyone can forgive my unfortunate choice of words.

Attached are the comments I intended to make.

*Cheers!*

*Tom Regan*

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Check out my new website at: [tomreganconsulting.com](http://tomreganconsulting.com)

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Underage drinking is well established as one of the top concerns with Law enforcement and communities. I believe we are all on the same page as far as the importance of checking ID's and limiting access of alcohol to minors.

This committee's focus on advertising practices in respect to substance abuse recovery should also focus on trying to prevent future substance abusers. Advertising is the practice and technique of bringing attention to a product or service. It is well documented that young minds are influenced by advertising. Adolescents and older (13+) will obviously be exposed to alcohol advertising in a lot of different forms from print media, online media and more. My concern begins with toddlers, and children in early grade school. The placement of alcoholic beverages anywhere other than a designated area begins to "normalize" alcohol more and more into being, well, normal. Exposure to alcohol and alcohol advertising can increase the attractiveness of alcohol and the likelihood of drinking by children as young as grade school. Most alcohol packaging and alcohol advertising is very bright, shiny, and cool. Even if we don't realize it's alcohol at a young age, the visual impact can remain as we grow, especially if it is commonplace in our everyday surroundings.

A study on tobacco sales found "Storing tobacco products out of sight of adolescents significantly reduced susceptibility of future cigarette smoking compared to leaving products exposed". Restrictions on marketing alcohol as well are likely to deter youth from early onset of drinking, and the CDC recommends Limiting alcohol advertising seen by people younger than 21.

As I understand, part of the reason we have "floor displays" or "temporary displays" is that some operations need extra space for storing large deliveries. Is there a reasonable expectation that there be "adequate storage" when storing certain products, perishable foods, guns, tobacco, drugs (both over the counter & prescription) and alcohol?

Is there, or should there be a designated area for alcohol only?

Does it make sense that anything displayed is in essence being advertised?

If people are purchasing from beer or wine that is stacked, would that make it a display?

If storage is an issue, could the alcohol be kept in the back while non-alcohol items take up the floor space? Maybe stacks of Stove top stuffing, Diapers, Sodas, water, toilet paper instead of beer and wine?

How about a cover-up? If there is nowhere else to put a couple of pallets, or cases, of beer or wine, could a decorative drop cloth be used to cover the items until they go into the regular inventory. Maybe a drop cloth with the store's logo on it?

If alcohol is placed anywhere other than a designated area, does it become advertising? Advertising aims to put a product or service in the spotlight in hopes of drawing attention from consumers. Endcaps in grocery stores are said to contribute up to 30% of store sales. If that number is even close that would seem to be shining a spotlight on the item. The idea of putting wine near meats, cheeses and seafood seems to meet that definition. If there are only certain bottles present, that seems to be advertising a specific brand.

However, I think placing Pairing information cards near the meat & cheese would be an excellent idea for the individual businesses themselves to implement. I think this would be a great place for true education for the consumer by helping them understand what types, not brands, of wines go best with certain items they are buying, and also direct them to the appropriate section of the store.

With all respect, Grocery stores have a unique challenge in that they are a “general store” that people come into for a variety of needs regardless of their age. And they typically have a much bigger footprint. Grocery stores literally must try and please everybody, drinkers and non-drinkers alike. Alcohol is a very specific product for a specific group of people, again, much like guns, drugs, and cigarettes, they should have their own specific area. Limiting exposure of alcohol to people in substance abuse recovery, children (toddlers & older), and even some adults who just don't care for alcohol, should be considered.

It doesn't seem as though these advertising practices being discussed and possibly implemented should have any bearing on a Retail Liquor License. As stated, many times previously, they are a specialty shop, whose sole purpose is the sale of alcohol, with a distinct license, with distinct rules.

While it may be difficult to separate all the different operations, I do think consideration could be given to small specialty shops, such as a meat and cheese shop, or similar operation whose alcohol sales are negligible compared to the primary sales.

Every segment of the liquor industry comes with its own unique challenges regarding Responsible Service of Alcohol, and we all must be too able adapt to the changing sensibilities in the world. Overexposure to alcohol should be a concern to all communities. Even in my class when talking with wait staff, it is often mentioned, by the wait staff, that perhaps “May I get you something to drink?” might be preferable to “May I get you something from the bar?”

To be clear, I am not against alcohol sales in grocery stores or anywhere else. I have worked in the food and beverage / hospitality industry since I was 13 years old and without alcohol sales, I would be unemployed living in a van down by the river.

Sincerely,

Tom Regan

Responsible Vendor Trainer

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