

Fri March 21, 2008

# ABLE Commission retains beer quality guidelines

By The Associated Press

State liquor regulators don't want Oklahomans to drink skanky beer.

The [Alcoholic Beverage Laws Enforcement Commission](#) voted 5-1 Friday to retain beer quality rules that were opposed by beer wholesalers who argued it is not their job to help preserve the freshness of strong beer.

A spokesman for beer producers applauded the decision and said it reflects the demands of Oklahoma beer drinkers who expect to be served quality products. ABLE rules call for stocks of bottled strong beer to be rotated and refrigerated and that beer tap lines be cleaned regularly.

"We certainly believe it was the right decision," said [Brett Robinson](#), president of [Oklahoma Malt Beverage Association](#). Now that the beer quality rules have been upheld, [Robinson](#) said producers will insist that they be enforced.

"We believe the mechanism is there for manufacturers to say if you don't meet these standards, you don't get the beer," [Robinson](#) said.

Producers who refuse to sell their product to a wholesaler will not run afoul of Oklahoma's prohibition against discrimination in liquor sales to wholesalers as long as the beer quality standards are applied fairly to all, he said.

"We believe that if that standard is applied evenly, we're not discriminating," [Robinson](#) said.

Three beer wholesalers in Oklahoma City and Tulsa had asked the ABLE Commission to amend quality control guidelines for strong beer with an alcohol content of more than 3.2 percent by weight. State law requires that strong beer be sold only in retail liquor stores regulated by the commission.

At an ABLE Commission meeting last month, wholesalers argued that competition should determine how wholesalers maintain their beer products and producers should not be permitted to tell them what to do.

But one beer supplier told commission members his company recently bought back more than \$29,000 worth of outdated after finding hundreds of kegs and cases of beer that were past their expiration dates in Oklahoma wholesaler warehouses.

Beer keg tap lines cost \$5 each to clean and should be cleaned every two weeks to rid them of microbes and other impurities that can affect the appearance and taste of beer. But beer experts said tap lines in some Oklahoma retail establishments have not been cleaned for up to two years.

ABLE Commission Chairman Desmond Sides of Poteau made the motion to deny the wholesalers' request. Sides said there were not enough facts showing that beer quality control requirements are too onerous and expensive for wholesalers to comply with or are an attempt by producers to control the state's beer industry.

"We need quality control," Sides said. "I do think it needs to be there."

[Vice Chairman Rob Stratton](#) of Edmond said everyone supports quality control standards for strong beer. The issue, he said, is who bears the burden of providing it for citizens.

"Ladies and gentlemen, it's a game of money, isn't it?" [Stratton](#) said.

Commissioner Harry "Trey" Kouri III of Oklahoma City cast the lone no vote. Kouri expressed concern that the rules may be unfair and require wholesalers to do too much to preserve a producer's product.