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ABLE vote saves Sooners from sipping stale ale

By [TIM TALLEY Associated Press](#)

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OKLAHOMA CITY -- State liquor regulators don't want Sooners 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 that 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 the 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, Robinson said.

"We believe that if that standard is applied evenly, we're not discriminating," he said.

Three beer wholesalers in Oklahoma City and Tulsa had asked the ABLE Commission to amend quality control guidelines for 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 that producers should not be permitted to tell them what to do.

But one beer supplier told commissioners that his company recently bought back more than \$29,000 worth of outdated product after finding hundreds of kegs and cases of beer that were past their expiration dates in Oklahoma wholesaler warehouses.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

But experts said tap lines in some state retail establishments haven't been cleaned for as long as two years.

ABLE Commission Chairman Desmond Sides of Poteau made the motion to deny the wholesalers' request. Sides said there weren't 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 beer industry.

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

