



Put In Your 2¢ Worth...
**About 2¢ a drink yields \$44 million annually
to reduce the impact of
alcohol problems in Missouri.**

Question:

A legislator asks: In bills dealing with underage drinking, there are references to both “intoxicating liquor” and “nonintoxicating beer.” Why should we be concerned with “nonintoxicating beer”?

Answer:

“Nonintoxicating beer” is so-called “3.2 beer.” That IS, in fact, intoxicating, so “nonintoxicating” is a misnomer. This kind of beer does produce intoxication, although at a slower rate than “5% beer.” Bills are usually drafted to include both types, if the intent is to address all intoxicating beverages.

MISSOURI ALCOHOL IMPACT FACT #49

- “Nonintoxicating beer,” as defined in Missouri law, should not be confused with “non-alcoholic” or “low-alcohol” beer.
- The confusion has persisted since 1939, when that section of Missouri law was enacted. An entire chapter of the Missouri Revised Statutes bears the title “Nonintoxicating Beer.” Almost all of Chapter 312’s provisions are parallel to those in Chapter 311, which is entitled “Liquor Control Law.”
- The definition in Section 312.010, RSMo reads: “The phrase ‘nonintoxicating beer,’ as used in this chapter shall be construed to refer to and to mean any beer manufactured from pure hops or pure extract of hops, and pure barley malt or other wholesome grains or cereals and having an alcoholic content of more than one-half of one percent by volume and not exceeding three and two-tenths percent by weight.”
- A beverage which contains less than one half of one percent (0.5%) is not considered an alcoholic beverage. The maximum allowable is five percent (5.0%).
- Only a small number of “3.2 licenses” are issued by the MO Division of Alcohol and Tobacco Control annually. Currently they are less than 300 (by-the-drink, package sales, wholesalers, etc) of the total 25,000 licenses issued. The number has been decreasing steadily for many years.
- “3.2 beer” accounted for only about \$43,000 of the \$8.3 million collected in state beer excise charges in Fiscal Year 2004. The two types have been charged at the same six-cents-per-gallon rate since 1971.

***For more information call one of the
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