

The Alcoholic Beverage Control Board concurs in the conclusion contained in the Economic Impact Analysis (EIA) produced by the Department of Planning and Budget (DPB) that the proposed regulation is not likely to produce a significant net economic impact.

The Board does not concur in the analysis contained in the section of the EIA entitled, "Analysis of the Proposed Restrictions on Soju Service." In this section, the DPB analysis suggests that because allowing service of Soju by the bottle is unlikely to have a significant impact on overall alcohol consumption in the state, the need for restrictions is rendered moot. The need for these regulations is not based upon "overall alcohol consumption in the state," but rather with issues surrounding individual consumption. Soju is a distilled spirit, with an alcohol content by volume about twice that of wine, and four times that of beer. Very few, if any, individuals could consume an entire 375 ml bottle of soju without becoming intoxicated. While soju is a commodity that represents a very small percentage of the alcohol consumed in the Commonwealth, each person who over-consumes it is a danger to the public health and safety.

The analysis goes on to suggest that the regulation would not be totally effective in preventing over-consumption of soju, and therefore should not be implemented. There is no law or regulation that can prevent everyone from consuming too much alcohol, but the Alcoholic Beverage Control Board does not therefore abandon its responsibility to encourage temperance. Limiting the size of the container and party consuming soju by the bottle will at least slow down the consumer, and it will require the restaurant personnel to at least occasionally reassess the sobriety of the customer. While this won't prevent someone drinking too much soju in every case, it will help. For these reasons, the Alcoholic Beverage Control Board has determined that the restrictions in the proposed regulation are appropriate.