

HOUSE BILL ANALYSIS

SB 5365

Brief Description: Regulating the preparation and sale of dietary supplements containing alcohol.

Sponsors: Senators Prentice and Winsley

Hearing: March 22, 1999

Brief Summary of Bill

- Exempts products defined as dietary supplements but that contain alcohol from regulation under the liquor laws regulating alcoholic beverages.
- Dietary supplements that contain more than one-half of 1 percent alcohol must be clearly labeled including a list of ingredients.

BACKGROUND:

The Liquor Control Board regulates the sale and distribution of alcoholic beverages. Some items that contain alcohol but are manufactured or prepared for use other than as alcoholic beverages are not subject to the liquor laws regulating alcoholic beverages. Those items include flavorings, perfumes and lotions, and medications that contain alcohol. The item may be tested by the board and certified that it is a product that contains sufficient ingredients or medication to prevent its use as an alcoholic beverage.

Dietary supplements are defined under the Federal Food, Drug and Cosmetic Act as products containing vitamins, minerals, herbs or amino acids and are taken in pill, capsule or liquid form and are not represented as conventional foods.

SUMMARY OF BILL:

Dietary supplements as defined under the Federal Food, Drug and Cosmetic Act containing alcohol are products that are not subject to the liquor laws regulating alcoholic beverages. Any dietary supplement that contains more than one-half of 1 percent alcohol must be clearly

labeled including a list of the ingredients. Labeling must conform to the Federal Food, Drug and Cosmetic Act.

RULES AUTHORITY: The bill does not contain provisions addressing the rule making powers of an agency.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.