

#050723



BEER KEG REGISTRATION

What is keg registration and how does it work?

- Keg registration ordinances are used primarily to identify and penalize adults and youth who purchase beer kegs and allow underage youth to consume alcohol from them.¹
- Keg registration (or keg tagging) requires kegs to be marked with unique identification numbers (using metal or plastic tags, stickers, invisible ink, or engraving). At the time of the keg purchase, retailers are required to record the keg identification number, the purchaser's name, address, telephone number, and driver's license number. These records must be maintained for an adequate length of time, usually six months to a year.
- When a keg is confiscated by police at a party at which underage youth have consumed alcohol, the purchaser of the keg can be identified - and arrested or fined - for supplying alcohol to underage persons.

The deposit fee that is required from the purchaser at the time of the keg sale is forfeited if a keg is returned with an identification tag that is defaced or missing.

- Keg purchasers can also be required to sign a statement promising not to serve alcohol to underage individuals. This statement can be used as a tool to educate purchasers about their potential liability if they serve alcohol to underage people.

Why keg registration is important for your community

- **Beer kegs are often a main source of alcohol at parties where underage drinking occurs.² In addition, kegs may encourage greater amounts of alcohol consumption, increasing the risk of driving under the influence of alcohol and other alcohol-related problems.³** Keg registration may reduce youth access to beer kegs by providing a mechanism for identifying and penalizing people who provide alcohol to underage youth.
- **When police arrive at underage keg parties, people often scatter. Without keg tagging, there is no way to trace who purchased the keg.** Keg registration allows police to identify and take action against adults who provide kegs to underage youth.
- **Adults who illegally provide alcohol to underage youth may be deterred only if they believe they will face legal or financial consequences for providing alcohol to people under 21.** Keg registration encourages adults to think twice before purchasing kegs and allowing underage youth to drink from them.

Considerations for passing this ordinance in your community

ISSUE: There may be strong opposition from beer wholesalers and retailers who may feel targeted by this policy.

RESPONSE: *Keg registration is not intended to penalize the beer industry or retailers. Rather, it is a policy to reduce social access to alcohol. Keg registration policies enable communities to hold non-licensed adults who furnish alcohol to underage people liable for breaking the law. This policy does not target wholesalers or retailers. By supporting keg registration, the industry becomes part of the solution to the underage drinking problem.*

ISSUE: There may be opposition from retailers who fear they will lose business if keg purchasers buy beer in neighboring communities that don't have keg registration policies.

RESPONSE: *Customers who do not intend to supply beer to underage persons are unlikely to avoid purchasing kegs at an establishment with keg registration.*

ISSUE: Retailers may think that keg registration is too costly and time-consuming.

RESPONSE: *Communities can pay for keg tagging through various methods, such as licensing fees. Keg registration is not likely to be time consuming because most retailers already record the name and address of keg purchasers.*

Considerations for implementation

- **Deposit fees: Purchasers may decide to forfeit the deposit fee and remove the keg identification tag, thereby destroying police's ability to trace the keg to them.** To discourage this, keg and tapper deposits should be increased. If kegs are returned without the identification tags, purchasers forfeit the deposit. Many communities have increased the keg deposit to \$50.00.
- **Identification tags: There are several problems with the keg identification methods currently being used.** For example, identification tags can be clipped off, stickers can be easily peeled off, and inked or painted-on ID numbers can be sanded off. Even an increased deposit amount may not deter removal of the keg identification. To deter tag removal, keg identification markers that are either difficult to detect (such as invisible ink) or hard to remove should be used. Communities may need to identify new methods to tag kegs.
- **Local implementation: If keg registration is implemented in a limited geographic area, customers who intend to supply alcohol to underage persons may travel to neighboring communities to buy kegs at establishments without keg registration.** Implementation may work best if it covers a wide or isolated geographic area.
- **Liability fears: Liquor stores may be concerned about increased liability.** In reality, however, liability will be reduced for those establishments that comply with the law. Keg registration holds liable adults who illegally supply alcohol to underage youth. Establishments that legally sell alcohol to adults and follow correct keg registration procedures are not breaking the law, and thus should not be held liable.
- **Other alcohol sources: Keg registration does not control youth access to party balls and other packaged drinks.** The consumption of alcohol in these forms may increase when keg access is limited. However, alcohol packaged in these forms is not as cheap as keg beer.⁴ As a result, the potential for excessive consumption may be reduced because an increase in the price of alcohol results in a decrease in underage drinking.⁵

Research Findings

- **A variety of policies regulate the purchase and sale of alcoholic beverages. Growing significance of beer keg registration exists nationally.** Keg registration was first implemented at the local level; however, purchasers could drive to a nearby town where registration of beer kegs was not required (Hammond, 1991). Thus, keg registration policies are now being implemented at the state level. Numerous studies

demonstrate that increasing or reducing the availability of alcoholic beverages among youth affects consumption.

- **Several studies show that youth alcohol consumption is higher when prices of alcoholic beverages are lower (Grossman et al., 1994), and beer kegs are a cheap source of alcohol.** Additionally, several studies determined that a common setting for youth drinking is parties, and beer kegs are often a source of alcohol at youth parties (Jones-Webb et al., 1997; Wagenaar et al., 1993). It is important to keep in mind that keg registration addresses only one source of alcohol for youth, namely, illegal provision by older youth or adults.

Summary of Keg Registration Policies

- **Over the past 22 years, a quarter of the states enacted statewide keg registration policies.** Keg registration policies first appeared in the western states, with Oregon being the first to enact a statewide keg registration program in 1978. In the 1980s, Idaho (1981), North Dakota (1983), New Mexico (1989), and Washington (1989) followed. In 1991, Maine was the first eastern state to pass a keg registration policy.
- **Seven more states passed keg registration policies in the 1990s,** including South Dakota (1991), Vermont (1992), the District of Columbia (1993), Nebraska (1993), Maryland (1994), California (1994) and Connecticut (1999).

How keg registration fits into a larger context

Keg registration alone cannot solve the problem of underage drinking. Strategies that affect other sources of alcohol among youth should also be implemented to further reduce underage access to alcohol. Other strategies include:

- Warning posters, flyers, and other educational campaigns to inform adults of the potential financial and criminal consequences for illegally providing alcohol to underage youth.
- Increased enforcement against adult providers by police and follow-up by the court system.
- "Stings" in which police cite adults who buy alcohol for youth who approach the adults outside liquor establishments.

Communities may want to implement keg registration as a first step in attempting to reduce youth access to alcohol because keg tagging is relatively easy to implement and may reduce problems related to keg use.

What other communities have done

Greenfield, Massachusetts, has a widely publicized keg registration program which began in response to a young person's alcohol-related drowning in 1990. Greenfield's keg registration policy requires that metal tags be placed on all kegs sold in the town. The name, address, and birth date of the buyer is recorded along with the keg ID number in a journal that is kept by the keg retailer. The journal is made available to all law enforcement officers and is checked monthly by an officer. In addition, the keg deposit was increased from \$10 to \$50, and the purchaser forfeits this deposit if the keg is not returned or is returned without a tag. The retailer is allowed to keep \$10 of the forfeited deposit, while the remaining money goes to a local alcohol education program.⁶

According to Greenfield Police Chief David McCarthy, the successful implementation and enforcement of the keg registration law has been facilitated by municipal- and county-level planning discussions among police chiefs, liquor licensing authorities, business owners, and citizens. The policy received extensive media coverage that began at the local and national levels.¹

For further information, please contact:

Chief David F. McCarthy
Department of Police
253 Main Street
Greenfield, MA 01301
(413) 773-5411

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