

HOUSE JOINT MEMORIAL 15

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE EFFECT OF
COMBINING ENERGY BEVERAGES WITH ALCOHOL AND TO DEVELOP AN
EDUCATION AND AWARENESS CAMPAIGN TARGETED AT SCHOOLS, HEALTH
CARE PROVIDERS AND EMERGENCY DEPARTMENTS OF HOSPITALS REGARDING
THE DANGERS OF SELF-MIXING ENERGY DRINKS WITH ALCOHOL.

WHEREAS, caffeinated alcoholic beverages, often referred
to as alcoholic energy drinks, are alcoholic beverages that
contain caffeine as an additive and are packaged in combined
form; and

WHEREAS, alcoholic energy drinks have recently come under
public scrutiny due to the widely reported story of nine
college freshmen in Washington state who were hospitalized with
near-lethal blood alcohol levels after drinking a caffeinated
malt beverage known as Four Loko; and

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1 WHEREAS, the federal food and drug administration has
2 issued letters to four companies that make alcoholic energy
3 drinks, warning them that the addition of caffeine to these
4 products "poses a public health concern"; and

5 WHEREAS, the federal trade commission has issued similar
6 letters of warning to the same four companies, further urging
7 the companies to review the way in which these products are
8 marketed and to "take swift and appropriate steps to protect
9 consumers"; and

10 WHEREAS, several studies reported by such respected
11 entities as the noted journal *Scientific American* and the
12 *American Journal of Preventive Medicine* have suggested that
13 drinking caffeine and alcohol simultaneously can lead to
14 hazardous and life-threatening behavior; and

15 WHEREAS, the federal centers for disease control and
16 prevention has found that drinkers who consume alcohol mixed
17 with energy drinks are three times more likely to binge drink
18 than other drinkers; and

19 WHEREAS, Mary Claire O'Brien, M.D, a professor of
20 emergency medicine at Wake Forest university, warned the
21 federal food and drug administration last year that combining
22 alcohol and caffeine is dangerous, resulting in a far more
23 potent product than drinking either separately; and

24 WHEREAS, Thomas J. Gould, Ph.D., associate professor of
25 psychology at Temple university, told *Scientific American* that

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1 the combined use of caffeine and alcohol may give a false sense
2 of security, leading individuals to believe that they are less
3 intoxicated than they actually are; and

4 WHEREAS, the popularity of alcoholic energy beverages
5 presents a new and serious problem for college officials,
6 health care professionals and others long accustomed to
7 fighting alcohol abuse among young people and who now are
8 racing to confront the new and less understood threat of
9 combining high amounts of caffeine with alcohol; and

10 WHEREAS, anecdotal evidence obtained through interviews
11 with college-age youths around the country indicates that more
12 truthful marketing and even banning alcoholic energy drinks
13 will not halt the practice of combining caffeine and alcohol,
14 despite reports of serious detriment to health and even death
15 among users; and

16 WHEREAS, in the days following the warnings issued by the
17 federal food and drug administration and the federal trade
18 commission, a new Facebook tribute page was created called
19 "R.I.P. Four Loko", attracting eight thousand five hundred
20 friends within days of its creation, which contained postings
21 encouraging readers to stockpile Four Loko and other alcohol
22 energy drinks; and

23 WHEREAS, the proliferation of both commercial and self-
24 mixed versions of alcoholic energy beverages constitutes a
25 growing and serious public health problem;

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