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HOUSE MEMORIAL 73

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

INTRODUCED BY

Eleanor Chavez

A 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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