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Four Loko Frat Boys Spanked by Federal Trade Commission

Alcohol Justice Applauds Alcopop Labeling Order and Asks FTC to Extend it to All Alcohol Beverages

SAN FRANCISCO, CA (February 13, 2013) – Alcohol Justice expressed its appreciation today for baby steps taken by the Federal Trade Commission (FTC) in an order forcing Phusion Projects, LLC to put informational labels on their dangerous, supersized alcopop Four Loko.

“The FTC order is a solid but small step in controlling the public health menace of alcopops,” stated Bruce Lee Livingston, Executive Director/CEO of Alcohol Justice. *“We demand full rule-making by FTC so that all alcopops, beer, wine, and distilled spirits products will also be forced to comply. Unfortunately the FTC has also punted by claiming it cannot order a reduction in ethyl alcohol content or fluid size of Four Loko or other similar youth-oriented, supersized alcopops.”* The FTC Decision and Order only applies at this time to Phusion Projects alcopops and continues the useless requirement that many of its containers with over 1.5 fluid ounces ethanol be re-sealable.

The FTC ruling against Phusion Project’s Four Loko attempts to address the inherent dangers of supersized alcopops by requiring a new “Alcohol Facts” label that accurately states the number of standard-sized drinks in each can. It also requires the products to have re-sealable tops. Unfortunately, there is no evidence that re-sealable containers will discourage the harm-producing binge drinking associated with the products.

“We will continue to insist on lowering the alcohol percentages and size of alcopops,” added Livingston. *“We will also continue to call for an end to the alcopops FMB product category, be it by federal regulation, state legislation, or voluntary retailer self-imposed ban in response to community pressure for Alcopops-Free Zones.”*

For many years Alcohol Justice has been a leader in the national effort to properly regulate alcopops, known as flavored malt beverages or FMB’s by regulators and the industry. Its groundbreaking 2007 report, *Alcohol, Energy Drinks, and Youth: A Dangerous Mix*, furthered the campaign that ultimately led to the Food and Drug Administration action on alcoholic energy drinks in November 2010. Recent reports show Four Loko on sale in 23.5 ounce containers at 7-Eleven at two cans for five dollars, offering young purchasers over nine standard drinks for five dollars. States attorneys general often call supersized alcopops “a binge in a can.”

In the U.S., 10.7 million underage youth drink alcohol, and 7.2 million binge drink. Alcohol-related problems from underage drinking cost the country \$60 billion annually.

Alcohol Justice also sounded the first alarm about supersized alcopops that are still selling strongly after producers reformulated their alcoholic energy drinks to remove caffeine. In addition to Four Loko, other products that fit the same youth-oriented profile include Smirnoff Ice, Mike’s Hard Lemonade and Sparks by MillerCoors. Pabst’s “Blast by Colt-45” has been attacked for an ethnic and youth oriented marketing campaign headed up by Snoop Dogg. Among the 22 leading alcopops brands, only four saw increased sales volume from 2009-2011. In spite of public health questions and negative press, Phusion Projects’ Four Loko led the pack, with sales of 2,500 cases in 2009 to 7,500 in 2011, a 25% increase. The next highest competitor, Mike’s Hard, saw a 15% increase, from 12,440 cases in 2009 to 18,068 in 2011.

Alcohol Justice has proposed model state legislation to ban the monster 23.5 oz, single serving cans, with up to 12% alcohol content. Alcohol Justice also has launched a model program called *Alcopop Free Zone*™ to assist community organizing to prompt retailers to voluntarily remove the products from their shelves.

Phusion Projects, LLC was founded by three Ohio State students, two of whom partied with Kappa Sigma fraternity (read: *Meet the Frat Boys Behind Four Loko, America's Most Hated Beer* at <http://www.thefix.com/content/four-loko>).

"The frat boys who run Phusion Projects have led the race to the bottom in alcohol industry marketing to youth in America," stated Livingston. "They are endangering the lives of underage youth attracted to their digital marketing strategy, soda-like flavor and cheap prices for a product that gets regulated as if it were beer. The FTC needs to smack down the rest of the alcopop industry, and state and local governments need to ban sales or severely restrict these youth-endangering products."

For more information, visit AlcopopFreeZone.us and AlcoholJustice.org

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