

TESTIMONY OF CHRIS WAGNER
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LB 235 – General Affairs Committee
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Good afternoon, Chairman Briese and members of the committee. My name is Chris Wagner, and I am the executive director of Project Extra Mile, a network of community partnerships across the state working to prevent excessive alcohol consumption, including underage drinking and its tragic consequences. We are here today in opposition of LB 235.

As this Committee well knows, the Liquor Control Commission is tasked with promoting the health, safety and welfare of the people of the state ... through careful regulation of the manufacture, distribution and sale of alcoholic liquor (53-101.01). This three-tier system is the foundation of the alcohol regulatory process throughout the country.

States are wise to protect the distribution and use of alcohol through this regulatory process in order to control its availability for the protection of public health and safety. Controlling the availability of alcohol is a primary purpose of the three-tier system, and this proposal would make alcohol easily and dangerously available to the consumer outside of that system. Alcohol is no ordinary commodity and should not be treated as casually as other products.

Section 53-132 of the statute outlines key factors the LCC must consider when issuing a license. One of those key factors is “the sanitation or sanitary conditions on or about the proposed licensed premises.” Without a license, public health and safety officers are unable to inspect the premises where the alcohol is manufactured and stored – a significant public health concern.

Furthermore, Section 53-168.06 allows for the exception that persons are not restricted from manufacturing alcohol by fermentation “if made solely for the use of the maker and his or her family and guests.” Home brewers are currently allowed to participate in Special Designated License events only if it is a part of a brewing competition involving judges – the idea being that judges understand the health risks of consuming alcohol produced in unknown conditions.

Finally, in a 2017 nationwide survey conducted by the Center for Alcohol Policy, an effort of the nation’s wholesalers, 76 percent of Americans agreed that “all alcohol sold in my state should come through a licensed system which effectively tracks the steps it takes from the producer to the consumer.” This bill would do exactly the opposite and therefore, we’d urge you to indefinitely postpone LB 235. Thank you for your consideration.

Botulism

Pruno: A Recipe for Botulism

You may have heard about a cheap, quick way to make a kind of homemade alcohol that goes by many different names, including pruno, hooch, brew, prison wine, and buck. No matter what it's called, it can give you more than a cheap buzz. It can give you botulism, a life-threatening illness.

What is botulism?

Botulism is a rare but serious illness caused by a toxin (poison) that attacks the body's nerves and can lead to paralysis and death. Because the disease can paralyze the muscles used in breathing, people can die soon after symptoms first appear. Even those who get medical treatment right away may be paralyzed and hooked up to a ventilator (breathing machine) for many weeks.

One way people get botulism is by eating or drinking something that has the toxin in it. Some prison inmates in California, Arizona, Utah, and Mississippi have gotten botulism after making and drinking pruno. Almost all of those inmates had to be hospitalized for treatment, and many were put on a ventilator (breathing machine) for days or even weeks. All of the botulism outbreaks linked to pruno have occurred among inmates. However, anyone who drinks this kind of alcohol is at risk.

How can pruno give me botulism?

When people make pruno, they usually ferment fruit, sugar, water, and other common ingredients for several days in a sealed plastic bag. Making alcohol this way can cause botulism germs to make toxin (poison). The toxin is what makes you sick.

It's hard to know if pruno has botulism toxin in it, because **you can't see, smell, or taste the toxin.**

How can I stay safe?

If you make pruno, you put yourself and anyone who drinks it in danger of getting botulism. The alcohol in your drink won't destroy the toxin (make it harmless). **The only way to be sure you don't get botulism from pruno is to not drink it.**

We don't know how to make this kind of alcohol safely. But we do know that batches of pruno that gave people botulism used at least one of these ingredients:

- Potatoes
- Honey
- Food from bulging cans

How would I know if I have botulism?

If you drink pruno and have symptoms of botulism, get medical help immediately. Be sure to tell your doctor that you drank pruno. **The sooner you get medical help, the better your chances of surviving the illness.**

Remember, if you want to keep from getting botulism, your best bet is to not drink pruno. But if you do and you have symptoms of botulism, **get medical help immediately and tell your doctor that you drank pruno.**

Some of the symptoms of botulism are:

- Double vision
- Blurred vision
- Drooping eyelids
- Slurred speech
- Difficulty swallowing
- A thick-feeling tongue
- Dry mouth
- Muscle weakness

As the disease gets worse, you may develop more symptoms, such as:

- Difficulty breathing
- Paralysis (can't move your body)

Content source: [Centers for Disease Control and Prevention](#) , [National Center for Emerging and Zoonotic Infectious Diseases \(NCEZID\)](#) , [Division of Foodborne, Waterborne, and Environmental Diseases \(DFWED\)](#)

<https://www.cdc.gov/botulism/pruno-a-recipe-for-botulism.html>

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