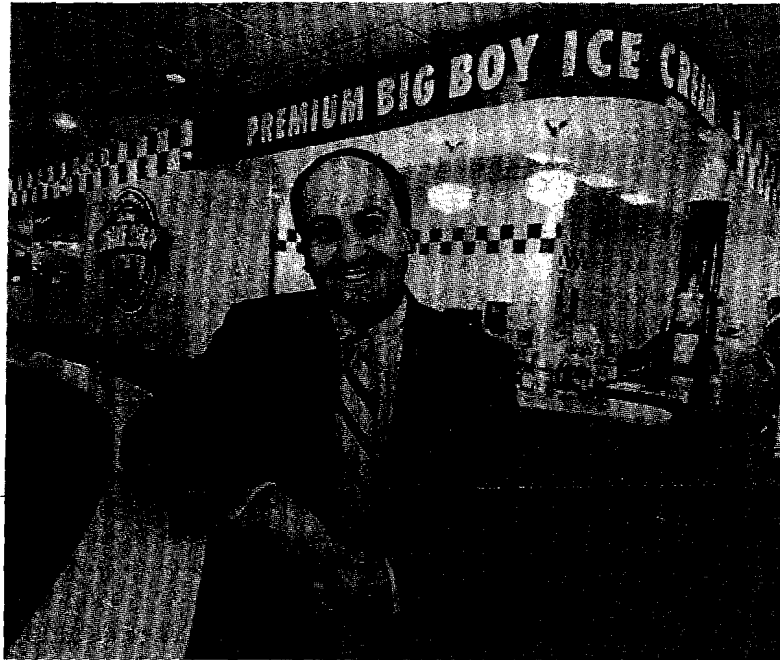


MICAP RECAP

June 30, 2005

Big Boy has new look, but continues as largest alcohol-free restaurant chain in Michigan



It was just a year ago that we painfully reported that the Howell Big Boy restaurant was breaking with tradition in seeking to add alcohol to its menu.

There is no shortage of restaurants in Michigan, but Big Boy has traditionally served a special niche, offering good food, a notch above fast-food chains, in a family-friendly, alcohol-free atmosphere.

We understood that Michigan's largest family restaurant chain was looking for a way to return to profitability after filing for Chapter 11 bankruptcy in 2000, but it was disappointing that the Livingston County outlet had opted to add a liquor license to boost profits.

Our protest to the Michigan Liquor Control Commission was not to have the license application denied, since approval of the local governing body had already been secured. What concerned us, more than just losing an alcohol-free family res-

taurant, was the potential of using the signature Big Boy logo of a chubby six-year-old boy to attract customers, not just for double-decker sandwiches and milkshakes, but for Vodka Martinis and Whiskey Sours as well.

As expected, the Liquor Control Commission did grant the Howell Big Boy license, but stipulated that the restaurant's trademark logo could not be used in any way to promote sales of beer, wine or liquor.

Over this past year, we have closely watched what was happening in the Big Boy chain of some 455 franchises across the nation. When Tony Michaels, CEO of Big Boy, shown in the accompanying photo, announced his master plan for returning the chain to profitability and expanding into new areas, it had been decided not to encourage local outlets to add alcohol to their menus, we were delighted.

Instead, Big Boy outlets will be getting a new look. A more colorful décor with new booths and murals will feature chain-wide remodeling, along with wireless Internet in many of the locations.

But customers will still find the same high-quality menu, featuring Brawny Lads and Double-decker hamburgers, along with pies and pastries customers will enjoy on site and as take-outs for home consumption.

"We have a mature brand, and you constantly have to reinvent yourself," said Tony Michaels. "We want to bring the restaurant to the forefront and make it more fun and colorful."

The once-ailing chain has bolstered sales and has an aggressive plan to open 100 new restaurants in Nevada, Arizona, California and Florida in the next decade. The company plans to double its franchises over the next decade, focusing on new markets in the Carolinas, Georgia and Alabama, Michaels said.

We know that many MICAP supporters have traditionally patronized Big Boy restaurants and we encourage all who read this report to not only continue their patronage, but to make it known to management that you appreciate the alcohol-free, family-friendly atmosphere at Big Boy.

MARIJUANA-FLAVORED . . . lollipops with names such as Purple Haze, Acapulco Gold and Rasta are showing up on the shelves of convenience stores around the country, angering anti-drug advocates.

Licking a sucker seems innocent enough, but as marijuana-inspired goodies fly off the shelves, some lawmakers are concerned that the candy will lead to more than sugar buzzes.

"It's nothing but dope candy, and that's nothing we need to be training our children to do," said Georgia State Senator Vincent Fort, who has persuaded some convenience stores to stop selling the treats.

"The last thing we need to have our children acquiring is a taste for an illegal drug," said Michigan state lawmaker Dudley Spade, who has introduced legislation to ban the sale of candy contain-

ing hemp, the plant from which marijuana is made. Lawmakers and other officials in New York, New Jersey and Illinois have pushed similar proposals.

"It concerns me to see any kind of products out there that either promote drugs or diminish the perception of their dangers," Michigan State Police Lt. Tom Gill said.

Spencer Gifts, a national chain, report that they have been selling out of Pot Suckers, green lollipops made with hemp, which jovially claim to be "highly addictive" and taste "like the real deal."

The confections are legal because they are made with hemp oil, a common health food ingredient. The oil imparts marijuana's grassy taste but not the high.

Merchants call them a harmless novelty for adults and insist they advise stores to sell only to people 18 and older.

"There are more than 70 million people in the United States who smoke marijuana. We're catering to the audience of people who are in that smoking culture," said Rick Watkins, marketing director for Corona, Calif.-based Chronic Candy.

THE CHRISTIAN FAMILY FELLOWSHIP . . .

and a Quaker group known as the Red Cedar Friends Meeting would like to play a role in the redevelopment of Old Town, a North Lansing area that has fallen on hard times in recent years.

Can religious groups, known more for their efforts at spiritual revival, play a role in neighborhood economic revival? That is the question for a group of private investors who have been trying to turn a stretch of empty buildings into an arts and entertainment area.

According to the local newspaper, alcohol has become an important element in the minds of developers, as the *State Journal* noted, "The community just spent four months promoting a wine-tasting festival, which drew some 3,000 people June 18."

A small but active group has launched a petition drive aimed at preventing the two groups from establishing churches in the Old Town area, fearing that their presence and influence could dis-

Sunday Alcohol Sales Law Is Outdated and Needs Revision

*Archaic 'blue laws' color state
as unfriendly for business and consumers*

To get a sense of why Michigan will have a hard time proving it's a business-friendly state, look at how it overly regulates the liquor industry.

The state micromanages the issuance of licenses; controls and limits wholesale distribution; and ridiculously governs the days and times by which stores can sell alcohol. Most recently, some legislators took offense to a bill proposed by Sen. Gilda Jacobs, D-Huntington Woods, that would open morning sales on Sunday and eliminate the Christmas ban on liquor sales.

Legislators should adopt this bill and bring Michigan in line with the 28 other states that have lifted their Sunday liquor laws. Regulation of a business' hours and sales is unfair and an improper place for the state anyway.

Jacobs says her motivation is as much about convenience as it is about commerce. The state now allows stores to sell beer and wine after

noon on Sunday as well as liquor if special fees and permits are obtained. Removing those restrictions levels the playing field and creates an environment that allows the consumer to dictate whether a store should be open, not the state.

Local governments will decide if stores can be open on Sunday and local prohibitions that already exist will remain in place unless voters decide to change them. Eliminating the Christmas day ban also is warranted because of its obvious religious connection.

Legislators whose knee-jerk reaction is to disregard Jacobs' legislation are doing businesses and consumers a disservice. Some use Prohibitionist arguments for banning full-on Sunday sales. Others invoke religion. Neither are good arguments.

Changing the Sunday sales law will help businesses and be more convenient for consumers.

The Detroit News

LETTERS

Sunday morning alcohol sales

This is in response to your recent editorial that called Michigan's current Sunday alcohol sales law outdated and in need of revision.

With the repeal of national Prohibition in 1933, lawmakers adopted rules that would make alcohol available, but under circumstances that would discourage much of the excessive behavior that brought about America's "noble experiment."

In Michigan, it was decided to allow alcohol sales from 7 a.m. until 2 a.m., six days a week, and from noon until 2 a.m. on Sundays. The wisdom was that 128 hours a week should satisfy public demand for beer, wine and liquor across the state.

Now State Senator Gilda Jacobs believes such restrictions are outdated and wants to remove the ban on alcohol sales from 7 a.m. until noon

on Sundays. She says the main reason for her bill is convenience, both for consumers and retailers.

Strangely enough, there has been no grassroots sentiment expressed from consumers for extended hours for alcohol sales.

It is understandable that liquor licensees would welcome longer hours, but complaints from consumers to present restrictions are absent. To understand this phenomenon, consider the findings of the U.S. Substance Abuse and Mental Health Services Administration, which were released just this past week, showing that only 49 percent of Michigan adults are current drinkers, having consumed alcohol within the 30-day period prior to being surveyed. By area, the City of Detroit had the lowest rate of current drinkers, at 38 percent.

This common image of alcohol use is occasionally having a glass of wine with dinner, but in reality most of the

alcohol consumed in America comes from a small percentage of drinkers, according to research by Berkeley's Alcohol Research Group, which documents that the top 5 percent of drinkers consume virtually half of all the alcohol sold.

Current sales restrictions suggest that having a "time out" from drinking is good public policy. Extending the hours of alcohol availability sends the wrong message, at a time when alcohol-related problems cost the American society a whopping \$184 billion every year.

Those who would most appreciate Sunday morning sales would likely be drunks, recuperating from a Saturday night hangover, looking for a bit of the "hair of the dog" that bit them, as they sober up.

ROBERT HAMMOND
*Vice President
Michigan Council on
Alcohol Problems
Lansing*

courage interest in the apparent goals of developers.

The newspaper account of the controversy quotes Peter Morse, who lives within walking distance of the historic district and admits to enjoying drinks at the Esquire, an Old Town gay bar. Morse, 48, says he feels comfortable in Old Town the way it is now. "It's an accepting place where he and his partner can hold hands and not feel people judging him, so he is wary of anything that might jeopardize that."

In addition to fears that the religious groups might change attitudes in the area is the state law that makes it difficult for liquor licenses to be granted within 500 feet of churches.

There was a time that if a new bar planned to locate in the area, local residents and businesses would fear for the changes increased alcohol outlets might bring, but locals in Michigan's Capitol City now wonder if this fear will be replaced with apprehension over the influence of religious groups.

FOR TEENAGE BOYS . . . does the message "Just say no" need to be changed to "Just wait?"

When it comes to teenage temptations, from sports stunts to daredevil driving to experimenting with alcohol and other drugs, most parents are rightfully more concerned about boys than girls, according to Dr. R. Andrew Chambers, an assistant professor of psychiatry at the Indiana University School of Medicine. With alcohol and other drugs in particular, epidemiological studies suggest that boys are twice as likely as girls to become addicted.

Part of boys' risk-taking behavior is driven by the constant changes in their brains as they grow. Everyone's brain matures by about age 25. Risky behavior also seems more likely with teens in groups. And studies have shown that the earlier adolescents dabble in alcohol, tobacco and other drugs, the harder it will be for them to kick the habit in later years.

Which raises the question: can parents aban-

don the "just say no" slogan of the Reagan era for a new mantra that says "just wait"—until you are old enough to know better?

Maybe. Psychiatrists, scientists and others who study teenagers and their ways offered a range of responses, from endorsing "just wait" to shying away from any encouragement to imbibe.

Teenage smoking, which continues to decline but more slowly than in the past, offers an illustration. A report published in 2000 said that just a few cigarettes could lead to addiction. The study, which tracked the smoking habits of 700 12- and 13-year-olds in Massachusetts for a year, revealed that addiction could begin within days of inhaling a first cigarette.

A "just wait" message with tobacco, therefore, does not sit well with Dr. DiFranza because there is "no safe level of use with tobacco," he said, adding: "Even when tobacco use starts at an older age, the addiction rate is much higher. You're never old enough to smoke."

Parents also worry, of course, about drugs and alcohol. The adolescent brain, Dr. Chambers said, is just as vulnerable to drug and alcohol addiction as it is to tobacco. "If you use a drug after 25," he said, "you are far less likely to get addicted than when you're 15."

Marijuana poses a deep challenge because it is more potent than it was 30 years ago, and children are trying it as early as 11 years old, said Scott Burns, deputy director of the White House Office of National Drug Control Policy. "There are more kids in treatment for marijuana addiction than for alcohol treatment," he said.

Dr. Marc N. Potenza, an assistant professor at the Yale University School of Medicine who specializes in addictions and worked on the 2003 Yale study with Dr. Chambers, said more research into the causes of specific addictions was necessary before endorsing a "just wait" approach. "There are critical periods when a lot of changes are occurring in the brain, and adolescence is one such period," Dr. Potenza said. "And the changes are quite dramatic."



As most of MICAP supporters are aware, we joined with the Michigan Liquor Control Commission, MADD, and a number of traffic safety groups in Michigan to urge the U.S. Supreme Court to ban direct shipping from wineries to consumers in this state.

Most who read the news accounts of the Supreme Court decision on this issue have the idea that direct shipments here in Michigan from wineries to consumers is now legal.

No so . . .

The Supreme Court did not make all such sales legal, but what it did was to shift the issue to the state legislature, where local lawmakers must decide whether or not to allow direct sales from both in-state and out-of-state wineries.

Senate Bill 600, now pending in the upper cham-

ber, would ban all such direct sales. You should contact your state senator to urge a "yes" vote on this bill.

Although direct shipping of wine is now the issue, if lawmakers allow direct shipping of wine, this opens the door for direct shipping of hard liquor as well, which would allow internet sales of Smirnoff, Jack Daniels and other distilled spirits over the internet.

Following the repeal of national Prohibition, lawmakers established the three-tier distribution system of manufacturer, wholesaler and retailer and it is only through this system that we can have protection against selling to minors and intoxicated people.

Contact your senator and urge a yes vote on Senate Bill 600.