

Alcohol Policies in India and United States: A Comparative Policy Analysis

Henry Poduthase¹, Alex J. Vellappally²

¹Department of Psychology, Sociology, and Social Work, West Texas A & M University, Canyon, USA

²School of Social Work, Marian College, Kuttikkanam, India

Email address:

hpoduthase@wtamu.edu (H. Poduthase), jvellappally@gmail.com (A. J. Vellappally)

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Abstract: In the recent report of WHO on global alcohol consumption, it is quite evident that the alcohol consumption and related problems are on the increase worldwide. An understanding of alcohol policies of India, where alcohol consumption is increasing, and that of USA, where alcohol consumption is static, would provide an insight into the effectiveness of the policies. This article analyzes current alcohol policies (both federal and state) of both countries and provides suggestions for future policies.

Keywords: Alcohol Policies, Comparative Policy Analysis, International Policy, Policy Effectiveness

1. Introduction

World Health organization's objectives state that reducing the health and social burden caused by the harmful use of alcohol consumption is one of its major goals [1]. Around the world, alcohol is a leading cause of morbidity, mortality, social problems, and economic costs [2]. The global strategy to reduce the harmful use of alcohol defines 'harmful use' as drinking that causes detrimental health and social consequences for the drinker, the people around the drinker, and society. Additionally, patterns of drinking are associated with increased risk of adverse health outcomes [1]. As the harmful effects of alcohol consumption are a major concern for both India and USA, the alcohol consumption is on the rise in India, while, in USA it is static [1]. A comparative analysis could explore the policies of both countries and would benefit policy development for both countries. "Policy analysis is an organized way of looking at social policy to identify its strengths and weakness and to develop recommendations for future revisions." [3]. Comparative policy analysis systematically compares policies across two or more settings and this is the most common method used for cross-national policy analysis [4]. In this article authors compares the alcohol policies of India and USA to identify its strengths, weakness, and provides policy recommendations.

2. Impact of Alcohol Consumption

Among the top five risk factors of disease, disability, and death, harmful use of alcohol is occupying an unavoidable position around the world [5]. Moreover, alcohol attributed diseases leads to early death and the loss of many years of life. [6]. International Classification of Diseases 10 (ICD 10) related alcohol consumption to more than 200 diseases and injury conditions. Consumption of alcohol is associated with many serious disease conditions like liver cirrhosis, alcohol dependence, different types of cancers, and injuries [7, 8, 9]. Several studies found that alcohol consumption is associated with incidence of diseases such as tuberculosis and HIV/AIDS [10, 11, 12]. In the recent report of WHO on alcohol [1], use of alcohol is detrimental and attributes to more than 3.3 million deaths every year that accounts for 5.9% of all deaths worldwide. In 2010, alcohol-attributable liver cirrhosis was responsible for 439,300 deaths, while alcohol-attributable cancer deaths were 337,400 and in the same year alcohol-attributable injuries created 669,300 deaths worldwide [9]. Additionally, harmful use of alcohol can have serious social and economic consequences for individuals other than the drinker and for society (13 and 14).

The patterns of alcohol consumption vary widely with different ethnic groups within a country itself [15]. These variations means, types and level of alcohol consumed,

frequency of consumption, pattern of consumption, quality of the alcohol consumed, gender, and age.

3. Alcohol Consumption in India

Mythological and historical books of India clearly state the role of alcohol in ancient India [16]. Recent data about alcohol consumption in India shows that alcohol beverages having high levels of alcohol content are the predominant among the Indian alcohol consumers [1]. This is supported by empirical evidence suggesting that the common purpose of consuming alcohol is to get drunk [17]. WHO report states that in Indian alcohol consumption, spirit constitutes around 93% of the total consumption, whereas, beer constitutes only 7% and wine around 1% (Figure 1)

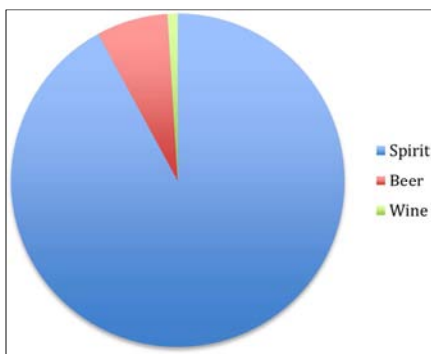


Figure 1. Types of alcohol consumed in India. Illustrated in WHO Global status report on alcohol and health 2014.

The types of alcoholic beverages vary, in India, based on the topography, climate, vegetation, culture, and traditions [17]. Major forms of alcoholic beverages in India are primarily, locally produced *Arrack* (called by different names in different parts of the country and a traditional drink produced by distilling local produces and having alcohol content 20-40 percent). Secondly, *Palm wine* (wine produced directly from coconut tree or palm tree and having alcohol content 20-40 percent). Finally, other major form of is imported alcohol or Indian made foreign liquor like *whiskey, brandy, and rum* [15]. Men are the major consumers of alcohol in India when compared to women [1]. There is an alarming rate of alcohol consumption by male drinkers where each person drinks an average of 32 liters of pure alcohol a year; a women drinker drinks 10 liters of pure alcohol [1]. WHO report on alcohol 2014 reports that in the entire country, 11% of the population are involved in heavy or binge drinking. This is a disturbing number in a country with a population of more than 1.2 billion people. On a positive note, the WHO report 2014 shows a large number of abstainers (84.9%). Per capita alcohol consumption in India (recorded and unrecorded) is 4.3 liters of pure alcohol that is an increase from 3.6 in 2003-2005 to 2008-2010 [1].

4. Alcohol Consumption in United States

Studies have found that alcohol use contributes to

hundreds of thousands of injuries, illnesses, and deaths each year in the United States, and billions of dollars of social costs (18 and 19). Major forms of alcohol beverages in USA are beer, spirit, and wine and their consumption are 50%, 33%, and 17% (Figure 2) respectively [1].

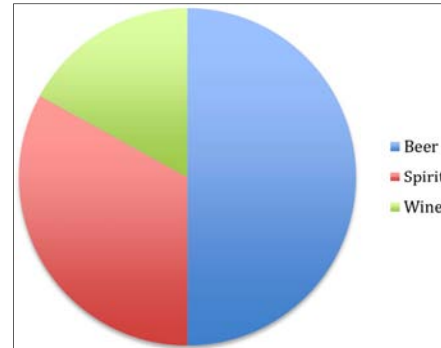


Figure 2. Alcohol consumption in USA. WHO Global status report on alcohol and health 2014.

Compared with India, there is an evident difference in the consumption of the types of alcohol beverages. Alcohol per capita consumption is higher in USA compared to India with 9.2 liters (recorded and unrecorded) in 2008-2010. However, this data shows a decrease from 9.5 liters in 2003-2005 [1]. It is interesting to see that compared to India a male drinker in USA is drinking only 18 liters of pure alcohol and female drinker is drinking only 7.8 liters of pure alcohol [1]. Both these numbers are high in India. However, WHO report 2014 shows that the number of abstainers are 31 percent, means, compared to India, there are lot more drinkers in USA.

5. Alcohol Policies of India and USA

This section outlines the current alcohol policies of India and USA. Here, the authors discuss about policies that affect 'production, distribution, taxation, and use' of alcohol beverages. While we consider these areas, further detailed policies on alcohol distribution, laws regarding purchase and sales, the taxation on alcohol, and limits on alcohol consumption with regard to drinking and driving, will be also discussed in this section. For this comparative study, all the federal and state level (except local government) alcohol policies related to purchase and sale, taxation, limitation to consumption were analyzed.

Alcohol policies in USA:

Background: United States is a country of more than 312 million people and the largest economy in the world. In the United States, federal, state, and local governments establish policies related to manufacture, sale, and use of alcohol. Historically speaking, 18th Amendment prohibited the manufacture, sale, or transportation of intoxicating liquors in the United States and its territories from 1919 until 1933. In 1933, Congress ratified 21st Amendment and repealed the prohibition of the manufacture, sale, or transportation of intoxicating liquors. Further, the Amendment gave broader

power to the states to regulate alcoholic beverages. Authorities of the states include- permit or prohibit importation or sale of alcoholic beverages within their borders; to determine the specific structure of alcohol distribution within their borders; and to regulate various aspects of alcohol sales and possession. While the Amendment gave more power to the states, it did not preclude the federal government's power to regulate. Additionally, the Commerce Clause of the constitution also grants the Federal Congress the authority to regulate commerce with foreign and among several states. Further, the U.S. Congress could also impose taxes on alcoholic beverages (power given by Article 1 of the constitution). Furthermore, the federal government can control alcohol beverages in areas where federal government has the authority. Finally, federal government can influence the state laws by way of federal financial incentives. The power of local governments to regulate alcohol is at the discretion of the state to give the power to its local governments. Many of the states have given this power to its local governments.

Policies 2013: United States has a well-built national policy on alcohol consumption. However, most of the policies pertaining to alcohol are regulated by the states. By the year 1988, all the states passed the laws limiting the legal age for alcohol consumption to 21 years. The Blood Alcohol Concentration (BAC) limits are stipulated to 0.08 g/dL in all the states. Taxation policy on spirits, wine, and beer varies from state to state. Beer keg registration is not mandatory in 15 states while others make it mandatory. Alcohol beverage server training and related practices are mandatory in 19 states, while 25 states make it voluntary and 13 states do not have any laws pertaining to server training. Some of the states (a total of 13) banned sale of alcohol during Sundays. Moreover, warning signs are required for 24 states to warn alcohol consumption during pregnancy. Few states have adopted statutes and/ or regulations relating this behavior to child welfare proceedings.

Considering the retail sale of alcohol beverages, authority of the sale varies across states in all the three different alcohol beverages. A combination of private and public sale is followed by six states for the retail distribution of beer, whereas, other states allow private sellers. Government is the sole seller of wine in two states, while in 10 states it is a combined selling by the government and by the private seller. All other states give private sellers the license to sell the wine. Six of the states are running the retail sale of spirits, while, seven of the states have combined system of selling spirits. Others give the private sellers the license for spirit sales.

Alcohol policies in India

Background: India is the second populous country in the world with more than 1.2 billion people and one of the emerging economies in the world. Since the constitution of India was adopted in 1950, the production, manufacture, transport, purchase, and sale of intoxicating liquors were enlisted in the state list. Means, the power to regulate the production, manufacture, transport, purchase, and sale of alcohol beverages is given to the states by the constitution.

The central government (federal government) could control the alcohol consumption by enacting new laws pertaining to distribution and consumption of alcoholic beverages. Furthermore, the federal government can impose taxes on alcohol products imported from other countries.

In India, four of the states as well as the union territory of Lakshadweep have prohibited the consumption of alcohol. In the other states, the legal age for the consumption of alcohol beverages (spirit, wine, and beer) varies from 18 to 25 years of age. In one state, Maharashtra, the legal age for drinking spirit is 25 years, while that of beer and wine is 21 years. Taxation policy on alcohol beverages varies from state to state. The taxation on alcoholic beverages ranges from 30% to 100% in various states in the country.

The Blood Alcohol Level (BAL) is limited to 0.03% (30 µl alcohol in 100 ml blood). Cable Television Network (Regulation) Amendment Bill, 2000, banned advertising alcoholic beverages for the purpose of creating awareness and regulating the consumption of alcoholic beverages. The federal government mandates to write warning of the harmful effect of alcohol consumption in all the alcoholic beverages. Additionally, while almost all the states bans the sale of alcohol beverages on 3 major national holidays (Republic day, Independence day, and Gandhi Jayanthi), all other dry days (days which bans alcohol sale) varies according to the state's holidays.

6. Suggestions, Discussion and Conclusion

While analyzing the current policies and comparing that with alcohol consumption, it is evident that there is much scope for further policy development in both countries. While, United States has higher percentage of population consuming alcohol, India is facing dichotomy of increasing number of people drinking alcohol and higher levels of consumption by the drinkers (WHO world status report on alcohol, 2014). Both these scenarios are generating individual health issues as well as social problems within these countries.

In India, there are several central as well as state laws that restrict the level of alcohol consumption, but how well these laws are implemented is a matter of concern. In a study conducted by Gupta, Saxena, Pendnekar, and Maulik (2003), the authors clearly states overall scenarios of the central and state efforts like this "prohibition was undertaken in some of the states, but it largely failed to reduce alcohol-related problems and gave rise to some additional problems (illegal alcohol production, distribution and consumption)... Advertisement of alcoholic beverages is not allowed, but companies find innovative ways of bypassing this restriction by surrogate advertising. The state governments are responsible for preventive strategies and treatment and are supported by community initiatives undertaken by non-governmental organizations and consumer groups. However, these measures have not been successful in limiting the consumption of alcoholic beverages." This reality of the situation evokes the need for policy changes with regard to

enforcement of the policies. As India does not have a national policy on alcohol, it would be better to constitute a central organization to evaluate, research, and monitor the alcohol policies of the states. This should be done with the consensus of the states and should restrict their role to conduct research, provide suggestions for new policies based on scientific evidences, and to ensure the alcohol control laws are enforced.

The current increase in the alcohol consumption in the country should be addressed by new creating general awareness about the adverse effects of alcohol consumption. As there are increased levels of alcohol consumption by the drinkers (32 liters by male and 10 liters by female), the policy should focus on decreasing the alcohol content gradually and methodically in the alcoholic beverages and promoting the low alcohol content beverages like wine and beer. Prohibition of illegal alcohol is a serious concern in India. Even though there are laws prohibiting illegal production, distribution, and consumption of alcohol, it is a common form of alcohol beverage in India. The policy formulators should understand this reality and should focus on developing local government level initiatives to address problem of illegal alcohol.

In USA, even though there is a national policy on alcohol, the states plays a vital role in the laws related to the production, distribution, and consumption of alcohol. The states have not made any recent changes to alcohol taxes or beer keg registration. Additionally, the penalties for drinking and driving have not changed in most of the states. Even though, the number of drinking driving accidents has declined over the years, the total numbers of accidents are still high. Policies should focus on creating awareness to restrict drinking and driving. As the state enforce the laws and formulate the policies related to alcohol, there are many differences in the laws pertaining to the production, distribution, and consumption of alcohol. This could create confusion for the people, and so there should be efforts to standardize at least some of the areas in the policies to minimize confusion. For example, the penalty for exceeding the BAC limit is different in many of the states in USA and a standardized penalty laws could minimize confusions arising out of this.

Although the current alcohol laws are hardly complete, all the information suggests the need for establishing and enforcing new policies for generating healthy individuals and community. However, central issues will always be the production, distribution, accessibility, affordability, quality, and quantity consumed of alcohol beverages.

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