

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 740

S.P. 298

In Senate, February 16, 2023

**An Act to Clarify the Criteria for State Approval of Alcoholic
Beverage Container Labels**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DAUGHTRY of Cumberland.

Cosponsored by Representatives: MONTELL of Gardiner, RIELLY of Westbrook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 28-A MRSA §6-A, sub-§2-A** is enacted to read:

3 **2-A. Criteria for label registration.** Bureau review and approval of label registration
4 is limited to whether the submitted label conforms to the regulations adopted by the United
5 States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau and the
6 following criteria:

7 A. The label does not contain any statement, design, device or representation that:

8 (1) To the average individual, applying contemporary community standards,
9 considered as a whole, appeals to the prurient interest;

10 (2) Depicts or describes, in an offensive manner, sexual acts, excretory functions,
11 masturbation or lewd exhibition of the genitals; and

12 (3) Considered as a whole, lacks serious literary, artistic, political or scientific
13 value; and

14 B. The label does not contain subject matter or an illustration that induces a minor to
15 drink or that depicts an individual in the act of drinking liquor.

16 **SUMMARY**

17 This bill limits the approval of alcoholic beverage container labels by the Department
18 of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery
19 Operations to whether a label conforms to regulations of the United States Department of
20 the Treasury, Alcohol and Tobacco Tax and Trade Bureau and criteria that prohibits labels
21 that appeal to prurient interest, depict sexual or other lewd acts, lack serious literary,
22 artistic, political or scientific value, induce a minor to drink or depict an individual
23 drinking.