

SENATE BILL No. 444

May 10, 1989, Introduced by Senators O'BRIEN, POSTHUMUS and KELLY and referred to the Committee on Regulatory Affairs.

A bill to amend section 2 of Act No. 8 of the Public Acts of the Extra Session of 1933, entitled as amended "The Michigan liquor control act," as amended by Act No. 236 of the Public Acts of 1986, being section 436.2 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 8 of the Public Acts of the
2 Extra Session of 1933, as amended by Act No. 236 of the Public
3 Acts of 1986, being section 436.2 of the Michigan Compiled Laws,
4 is amended to read as follows:

5 Sec. 2. For purposes of this act, the words and phrases
6 defined in this section and in sections 2a to 2z have the mean-
7 ings ascribed to them in those sections, unless the context shall
8 otherwise require:

1 (a) "Alcoholic liquor" means any spirituous, vinous, malt,
2 or fermented liquor, liquids and compounds, whether or not
3 medicated, proprietary, patented, and by whatever name called,
4 containing 1/2 of 1% or more of alcohol by volume which are fit
5 for use for beverage purposes. The commission shall define and
6 classify alcoholic liquor according to alcoholic content as
7 belonging to 1 of the varieties hereinafter defined.

8 (b) "Beer" means any beverage obtained by alcoholic ferment-
9 tation of an infusion or decoction of barley, malt, hops, or
10 other cereal in potable water.

11 (c) "Wine" means the product made by the normal alcoholic
12 fermentation of the juice of sound, ripe grapes, or any other
13 fruit with the usual cellar treatment, and containing not more
14 than 21% of alcohol by volume, including fermented fruit juices
15 other than grapes and mixed wine drinks.

16 (d) "Spirits" means any beverage which contains alcohol
17 obtained by distillation, mixed with potable water or other sub-
18 stances, or both, in solution, and includes wine containing an
19 alcoholic content of more than 21% by volume, except sacramental
20 wine.

21 (e) "Alcohol" means the product of distillation of fermented
22 liquid, whether or not rectified or diluted with water, but does
23 not mean ethyl or industrial alcohol, diluted or not, that has
24 been denatured or otherwise rendered unfit for beverage
25 purposes.

26 (f) "Sacramental wine" means wine containing not more than
27 24% of alcohol by volume which is used for sacramental purposes.

1 (g) "Brandy" means an alcoholic liquor as defined in the
2 federal regulations, 27 C.F.R. 5.22(d) (1980).

3 (h) ~~"Mixed wine drink" means a drink containing 8% or less~~
4 ~~alcohol by volume, consisting of wine mixed with nonalcoholic~~
5 ~~beverages or flavoring or coloring materials, and which may also~~
6 ~~contain water, fruit juices, fruit adjuncts, sugar, carbon diox-~~
7 ~~ide, or preservatives; or other similar product marketed as a~~
8 ~~wine cooler.~~ "Mixed wine drink" means a drink OR SIMILAR PRODUCT
9 MARKETING AS A WINE COOLER AND containing ~~8% or~~ less THAN 7%
10 alcohol by volume, consisting of wine ~~mixed with nonalcoholic~~
11 ~~beverages or flavoring or coloring materials, and which may also~~
12 ~~contain water, fruit juices, fruit adjuncts, sugar, carbon diox-~~
13 ~~ide, or preservatives; or other similar product marketed as a~~
14 ~~wine cooler.~~ AND PLAIN, SPARKLING, OR CARBONATED WATER AND CON-
15 TAINING ANY 1 OR MORE OF THE FOLLOWING:

- 16 (i) NONALCOHOLIC BEVERAGES.
17 (ii) FLAVORING.
18 (iii) COLORING MATERIALS.
19 (iv) FRUIT JUICES.
20 (v) FRUIT ADJUNCTS.
21 (vi) SUGAR.
22 (vii) CARBON DIOXIDE.
23 (viii) PRESERVATIVES.