

# Responsible Beverage Service



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# **Section I**

## **Laws and Liability**

### **Civil Liability**

Civil liability allows individuals to bring civil suits against licensees, their employees or any person who sells or serves alcohol illegally when personal injury or property damage has occurred anywhere in the state.

Compensatory damages can include damages to personal property, lost wages and medical costs.

Punitive damages are sometimes awarded to punish the offender.

Between the two types, awards can range from a few hundred to several million dollars.

Civil suits are heard through a local court.

### **Criminal Liability**

Criminal liability addresses fines and/or jail time that bartenders, servers or sellers of alcohol might face if prosecuted for illegal alcohol sales or service.

Criminal liability is dealt with at a District Court level of justice. While a civil suit typically carries a monetary judgment, the result of a criminal action can often be jail time. The outcome of a criminal action is not dependent on the outcome of the civil suit for the same instance. Both cases would operate independently of each other.

### **Avoiding a Lawsuit**

The best way to avoid any potential lawsuits surrounding alcoholic beverage service is to a) check identification to ensure your customer is of legal drinking age and b) avoid serving a customer who appears to be inebriated.

# Section II

## Underage Drinking and Identifications

Underage drinking is most likely to occur at a wedding, a party or any other type of event being held at the Lodge. Be certain to check the ID of anyone that appears to be under thirty (30) years of age. Also keep an eye on the number of drinks that an individual takes away from the bar to ensure that s/he is not supplying those drinks to an underage individual. If you suspect that someone is ordering drinks for someone underage, ask security, one of the servers or another Lodge member in charge to verify where those drinks are going.

### Acceptable Types Of Identification

1. State Issued Driver's License
2. State Issued Identification Card
3. Permanent Residency Card
4. Military Identification Card
5. Passport

These are all government issued forms of identification and *will* have a date of birth and a photo of the bearer. **Remember, that if the ID is expired, it is no longer a valid ID.**

A State issued Drivers License or ID Card will generally contain a Hologram. Each State's hologram is different.

Hold the presented ID in your hand. Look for any breaks or tears in the laminate, which could be an indication of tampering. Specifically check the photograph; there will be no red-eye in an official photograph and the area of the photograph should not be raised, which would be an indication of tampering as well.

# Section III

## Preventing Over-service

### Blood Alcohol Concentration

A person's BAC (blood alcohol concentration) increases with each alcoholic beverage consumed in a fixed amount of time. It is important to remember that regardless of a person's disposition, **time is the only thing that will sober a person.**

Blood alcohol concentration is measured in 1/1000 (one drop of alcohol per 1000 drops of blood), by either breath testing, urine testing or blood testing. Of the three types of testing, blood testing is the most accurate. Most states regard a BAC of 0.08 percent or higher makes an individual legally intoxicated.

12 OZ. BEER  
 12 OZ. WINE COOLER  
 5 OZ. GLASS WINE  
 1 1/2 OZ. 80 PROOF LIQUOR  
 1 OZ. 100 PROOF LIQUOR



All have approximately the same effect on the body and BAC

### Alcohol Impairment Chart

Per Hour	Male	Female
	<b>200 LB</b>	<b>120 LB</b>
<b>1<sup>st</sup> DRINK</b>	0.02	0.04
<b>2<sup>nd</sup> DRINK</b>	0.04	0.08
<b>3<sup>rd</sup> DRINK</b>	0.06	0.11
<b>4<sup>th</sup> DRINK</b>	0.08	0.15
<b>5<sup>th</sup> DRINK</b>	0.09	0.19
<b>6<sup>th</sup> DRINK</b>	0.11	0.23
<b>7<sup>th</sup> DRINK</b>	0.13	0.27
<b>8<sup>th</sup> DRINK</b>	0.15	0.30
<b>9<sup>th</sup> DRINK</b>	0.17	0.34

\*Subtract .01% for each 40 minutes of drinking

# Absorption

After drinking any alcoholic beverage, approximately 20 percent is absorbed directly through the stomach wall into the bloodstream. The remaining 80 percent enters the bloodstream **very** rapidly once it reaches the small intestine. Alcohol requires NO digestion. Food in the stomach slows alcohol's progress into the bloodstream. Liquids only **dilute** the alcohol; they do not slow the progress of absorption.

## Absorption Rate Factors

The rate a person absorbs alcohol into the bloodstream depends on several factors. There is no exact formula for determining a person's BAC other than blood tests. You may, however, make a responsible decision on how much alcohol to serve to an individual based on these variables:

**GENDER:** Women tend to be smaller with higher body fat ratios, hormones, and enzyme dehydrogenase.

**SIZE:** A small person will reach a higher BAC faster than a large person.

**FOOD CONSUMED:** Food in the stomach slows the progress of alcohol into the bloodstream.

**CONSUMPTION RATE:** Fast consumption increases the amount of alcohol circulating in the bloodstream waiting to be processed by the liver.

**DRINK CONCENTRATION:** Mixers dilute and slow the absorption rate. Carbonation speeds up the absorption by paralyzing the pyloric valve, allowing alcohol to reach the small intestine faster.

**TOLERANCE:** Drinking experience gives a person the ability to mask signs of a high BAC. Behavior is controlled. Conversely, an inexperienced drinker may not be able to control behavior at all.

**MOOD/ HEALTH:** Illness, stress, exhaustion can all accelerate the effects of alcohol.

**DRUGS:** Alcohol can counteract or enhance the effects of other drugs. Combined, the results are unpredictable and dangerous.

Facts are based on findings from Century Council and Board of Trustees of the University of Illinois

# The Brain

When alcohol reaches the brain, the frontal lobe is affected first. The frontal lobe controls reasoning and judgment. The alcohol numbs the frontal lobe creating a sense of **euphoria**. When alcohol is consumed, caution, common sense, reasoning and inhibitions are diminished. You might notice a person becoming talkative, louder, and less inhibited after consuming alcohol.

As the alcohol affects the mid-section of the brain, muscular control, coordination and small motor skills are diminished. You might notice someone having difficulty making change or picking up small objects. Doing simple tasks becomes a challenge. The individual believes that he/she is functioning normally.

The hind section of the brain controls bodily functions like respiration and heart rate. Once this area has been affected by alcohol, the individual will experience a sense of **dysphoria**. You might notice this person becoming restless, aggressive, anxious or violent. This is caused by an actual *overdose* of the drug alcohol.

- Even one alcoholic beverage affects judgment and reasoning.
- Alcohol is a depressant.
- Alcohol use kills brain cells. Excessive, long-term use can cause permanent personality changes and memory loss.

# The Liver

A healthy liver can eliminate about 1 ounce of alcohol per hour. Approximately 90 percent of the alcohol consumed will be eliminated through the liver. The other 10 percent is eliminated through breathing, sweating and other bodily functions. The liver metabolizes alcohol into sugars. This process requires an enzyme known as alcohol dehydrogenase.

Unprocessed alcohol continues to circulate in the bloodstream until the liver can process it. Cirrhosis of the liver may occur when liver cells die due to long term alcohol consumption. If treated in early stages, the liver has the ability to regenerate itself.

BAC decreases at a rate of 0.015 percent per hour. If four oz. were consumed in one hour, it will take four hours for the body to eliminate that alcohol.

## **Rationalizing Drinking**

Serving drinks in large containers may encourage customers to drink more, counting drinks rather than actual alcohol content. For instance, a large beer may be 22 ounces rather than standard 12 ounces. Use caution when selling multi-liquor drinks such as Long Island iced teas. These may contain four to five ounces of alcohol. Limiting these drinks to one per individual per visit is a good policy to reduce over-consumption.

While most “standard” size drinks contain about one ounce of alcohol, keep in mind that not all beers and wines are created equally. Beers may vary from two and one half percent to eight percent alcohol. Some imported beers and ales contain as much as 14 percent alcohol. Red wines generally contain 13-14 percent while white wines contain 11-12 percent alcohol.

## **Recognizing Intoxication**

No one expects you to know the BAC of someone simply by looking at them. However, the law prohibits selling or serving alcoholic beverages to “to an habitual drunkard or an intoxicated person.” Continuing to serve an individual who appears to be intoxicated creates a liability, both criminally and civilly,

Intoxication means being under the influence of alcohol and/or other drugs which significantly impairs ability to function. Teamwork and communication is critical to keep the entire staff informed of patrons who require intervention.

Each patron needs to be observed at the time of their arrival for evidence of sobriety. If they are already intoxicated or approaching intoxication, you have the right and the duty to refuse service.

Be aware of the number of drinks a patron has consumed and continue to observe him/her for evidence of intoxication. In the event of a shift change, communicate the status of the patrons to the relieving server.



# Common signs of intoxication

Alcohol generally affects the body in the following sequence:

## First Stage – Lowered Inhibitions

- Being overly friendly
- Annoying other customers
- Switching from quiet to loud or loud to quiet
- Speaking Loudly
- Acting bold

## Second Stage – Judgment

- Argumentative
- Unjustified complaints about service
- Making irrational statements
- Trying to buy items for you or others
- Using foul language
- Being belligerent
- Changing purchase behavior
- Being careless with money

## Third Stage – Reactions

- Bloodshot or glassy eyes
- Slurred speech
- Losing train of thought
- Unable to light cigarette

## Fourth Stage – Coordination

- Unable to pick up change
- Dropping things
- Unable to find pocket for change
- Swaying, falling
- Stumbling
- Unable to walk straight
- Bumping into things
- Drowsy

## **Establish a Procedure to Cut-Off Service**

It should be made clear to all members that service of alcoholic beverages is a privilege, not a right, and that each member should consume responsibly.

Each Lodge has the right and the duty, for the safety of its members and their guests, to refuse to serve someone approaching intoxication. The Lodge should have a written procedure in place on the steps to take to terminate service to anyone, regardless of their position within the Lodge.

While it should be the responsibility of the manager or person of authority on duty at the time for terminating service, in the absence of either of those, it then becomes the server's responsibility to do so, politely, but firmly. The servers should have assurances that there will be no retaliation should they need to terminate service to a member, regardless of that member's position.

Should a member or guest arrive at the Lodge intoxicated or approaching intoxication, you have the right to refuse to serve them. While they may complain, keep in mind that you may be saving their life or the lives of others.