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TESTIMONY

BILL: SB 307 (BDR 40-6) Requires posting of signs in certain food establishments warning of risk of drinking alcoholic beverages during pregnancy and merges Advisory Subcommittee on Fetal Alcohol Syndrome into Advisory Board on Maternal and Child Health.

NEVADA STATE HEALTH DIVISION

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Good morning, Mr. Chairman and members of the Committee. For the record I am Judith Wright, Chief, Health Division's Bureau of Family Health Services. I am here to provide information on SB 307.

SB 307 requires food establishments where alcohol is sold by the drink for consumption on the premises to post bilingual English/Spanish signs warning that drinking alcoholic beverages during pregnancy can cause birth defects. Food establishments are already subject to inspection by health authorities, so a mechanism for monitoring compliance is already in place.

The most severe birth defect caused by drinking alcoholic beverages during pregnancy is Fetal Alcohol Syndrome. With the guidance of the Fetal Alcohol Syndrome Subcommittee of the Maternal and Child Health Advisory Board, the Health Division has used \$25,000 appropriated in 1999 for a Fetal Alcohol Syndrome public-education campaign to prepare signs warning that drinking alcoholic beverages during pregnancy can cause birth defects. These signs have tear-offs providing women information on how to obtain substance abuse treatment and prenatal care regardless of ability to pay. The signs are designed to be either free-standing or mounted on a wall. Grant funding from the March of Dimes has allowed the Division to distribute these warning signs to approximately 3,500 agencies and businesses, including every drinking establishment in the state.

Whether warning signs are actually posted remains at the discretion of the business owner. Under SB 307, posting a warning sign instead would be required of every food establishment selling alcoholic beverages by the drink for consumption on the premises.

Since 1989 alcoholic beverage containers have been required by Federal law to have the Surgeon General's warning that drinking alcoholic beverages during pregnancy can cause birth defects. Unfortunately, that warning is small and easily ignored, appeared only in English, is repetitive, and is entirely absent when alcohol is ordered by the glass. SB 307 ensures that the warning is prominently displayed and large enough to be easily read,

appears in Spanish as well as English, and is not eliminated when alcohol is ordered by the glass. In addition, SB 307 makes it possible for the warning to not be repetitive by authorizing the Health Division to develop regulations providing for alternative forms of the warning signs.

When NRS 442 was revised in 1999 to require the establishment of a Fetal Alcohol Syndrome Subcommittee, the Maternal and Child Health Advisory Board had already established a Perinatal Substance Abuse Prevention Subcommittee to address perinatal abuse of alcohol, tobacco, and other drugs. SB 307 would eliminate the requirement to have a separate Fetal Alcohol Syndrome Subcommittee, and thus would eliminate some of the duplication of effort and costs associated with having two subcommittees with overlapping duties.

SB 307 also eliminates defining by statute who is to serve on the subcommittee that addresses perinatal alcohol abuse. This would allow the Maternal and Child Health Advisory Board to appoint to its subcommittee those best qualified and most highly motivated to address perinatal abuse of alcohol, tobacco, and other drugs. For example, current statute requires that the Fetal Alcohol Syndrome Subcommittee have "One member who represents a statewide organization in this state for the prevention of perinatal substance abuse." However, there is no longer such an organization in this state.

While SB 307 requires that food establishments that serve alcoholic beverages by the glass for consumption on the premises post a warning sign, the consequence for failure to do so isn't specified.

Thank you for the opportunity to comment on SB 307.