

**Alcohol Beverage Study Commission  
Public Comment Form\***

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Group represented: Billy's Sports Grill & Live Bait  
(if any)

Contact Information

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Please provide any background information you believe to be relevant along with any supporting information or research you would like the Commission to consider along with this Public Comment Form.

**Please provide your specific thoughts on the following questions and use additional paper if necessary:**

What are the issues that affect your business/industry relative to the three tier system?

The system increases the cost to the consumer in that it restricts free trade in the marketplace and creates unnecessary layers of separation between brewers and the end customer. Each layer adds on its overhead and profit and along with that there is no check and balance on how much is added because the distributor has no competition.

What solutions would you suggest to solve the issues you identified?

Eliminate the three tier system requirement, allow direct sales between manufacturer and retailer and or allow others to compete against the distributors who have exclusive territories.

Are there any specific issues relative to licensing that should be addressed in the law?

We are licensed as a restaurant and sell liquor and thus are not allowed to sell alcohol to go except that we can re cork a bottle of wine and allow the customer to remove from premises. We are not allowed to sell our draft beer in a to go manner even though the product is in a sealed container this just doesn't make sense. If we didn't sell liquor we would be allowed to sell to go.

We can only buy liquor from designated abc wholesale locations that operate only certain hours. If we run out of product we are not allowed to go to the abc retail store and purchase product. That doesn't make sense the abc stores should operate without wholesale and retail separation as it facilitates an inefficient operation with workers standing around in wholesale or retail. A for profit company would never operate in that manner.

We had a situation where we were requested to cater a last minute event that included a punch drink made from champagne that we didn't have in stock. The wholesalers that we are required to buy from were closed and we are not allowed to buy the product at the local grocery store. Who are we protecting here?

Distributors are totally unresponsive to any retailer because they have no competition. I have complained to abc and the response I get was to send the distributor a certified letter.

In Title 28, Chapters 8 and 9, the first step is to notify them in writing of the issues. This starts the time period that they are allowed by the code to rectify the issues. Be sure to send your letter certified with return receipt so that you can prove the date that it was received by your distributor.

My documented attempts to contact the distributor for well over a year was damaging my business because we couldn't get the craft beers in a timely manner and when we did get product we couldn't get them to pick up the kegs in a timely manner.

I asked the abc agent how these distributors get awarded these territories and could I just come and protest that event when it was up for renewal, I still don't know the answer.

Put it this way I go out and take a financial risk and freely compete with others on product and pricing that allows the consumer to pay a fair price and receive great service or I lose my business. Protecting distributors which creates wealth for a few at the expense of the citizens should not be a goal of government.

It was certainly convenient for the Gulf Distributing propaganda arguing for the blessings of the three tier system to be placed on the commission materials web site