

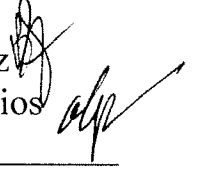
*I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN*  
2010 (Second) Regular Session

2011 MAY -2 PM 3:02

Bill No. 178-31 (LS)

Introduced by:

B.J.F. Cruz  
A.B. Palacios



**AN ACT TO ADD A NEW § 3106.1 TO ARTICLE 1 AND A  
NEW § 3702.1 TO ARTICLE 7 OF CHAPTER 3, TITLE 11  
GUAM CODE ANNOTATED; RELATIVE TO THE  
PROHIBITION OF CAFFEINATED MALT BEVERAGES.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** A new Subsection § 3106.1 is hereby *added* to Article 1, Chapter 3 of Title 11, Guam Code Annotated to read:

**"§ 3106.1 Caffeinated Malt Beverage.** A caffeinated malt beverage is a beverage containing at least .5% alcohol by volume, which is either:

(a) Produced by a brewer as defined in 26 U.S.C. § 5092 and to which is added, or infused with, caffeine and/or other stimulants including, but not limited to, guarana, ginseng, absinthe, and taurine;

OR

(b) Treated by processing, filtration, or another method of manufacture that is not generally recognized as a traditional process in the production of a beer as described in C.F.R. Sec. 25.55 and to which is added a flavor or other ingredient containing alcohol, except for a hop extract and caffeine and/or other stimulants including, but not limited to, guarana, ginseng, absinthe, and taurine; and for which the producer is required to file a formula for approval with the United States

1 Alcohol and Tobacco Trade and Tax Bureau pursuant to 27 C.F.R.  
2 Sec. 25.55 OR that is not exempt under Subdivision (f) of 27 C.F.R.  
3 Sec. 25.55.”

4 **Section 2.** A new Subsection §3702.1 is hereby *added* to Article 7,  
5 Chapter 3 of Title 11, Guam Code Annotated to read:

6 “§ 3702.1 **Sale of Caffeinated Malt Beverages.** No Caffeinated Malt  
7 Beverages may be imported, produced, manufactured, distributed, or  
8 sold at any retail outlet in Guam.”

9 **Section 3. Effective Date.** The effective date of this statute shall be  
10 one month from the date of its enactment.”