



CITY OF SOMERVILLE, MASSACHUSETTS
HEALTH & HUMAN SERVICES DEPARTMENT



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SOMERVILLE
Public Health
Prevent. Promote. Protect.

MEMO

November 26, 2019

TO Mayor
FR Doug Kress, Director of Health & Human Services (HHS)
RE: Small Alcohol Bottles a.k.a “Nips” or “Miniatures”

Beginning in the Fall of 2018, the Substance Abuse Prevention Collaborative (SAPC), funded by the Massachusetts Department of Public Health’s Bureau of Substance Addiction Services (BSAS), focused on small alcohol bottles (50 or 100 mL) often referred to as “nips” or “miniatures.” The collaborative, comprised of the cities/towns of Arlington, Cambridge, Everett, and Somerville (#PreventionACES), centered primarily on the widespread littering of these items across the respective cities/towns and the not often mentioned subsequent youth exposure to alcohol in their community.

To get a better understanding of the problem and a baseline to study, each of the four cities/towns embarked on an assessment phase to gather data. The cluster developed an Environmental Scan tool to assess where small alcohol bottles were in package/liquor stores, how much they cost, and the variety of flavors sold and identified where the littering was occurring in each of the communities.

The City of Somerville’s findings include:

- All twenty (20) liquor stores sold small alcohol bottles including flavored products, excluding beer & wine only licenses.
- Small alcohol bottles were *primarily* priced at under \$2.00.
- 68% of stores had small alcohol bottles behind the counter, requiring staff assistance to access, while some had them available at the end of an aisle or on the counter accessible to customers.
- The littering of small alcohol bottles was spread out across Somerville, but primarily found in or near **youth-friendly** areas including:
 - Streets/Sidewalks
 - Parks/Fields
 - Playgrounds
 - Schools
 - Public Transportation (Bus & Train)

In December 2018, Somerville Prevention, as well as the collaborative partners, began to document where and which small alcohol bottles were most frequently littered. Data was collected by the team, including youth and community members, using an Instagram account (@PreventionACES) using #NipIt so others could share what we’ve found.

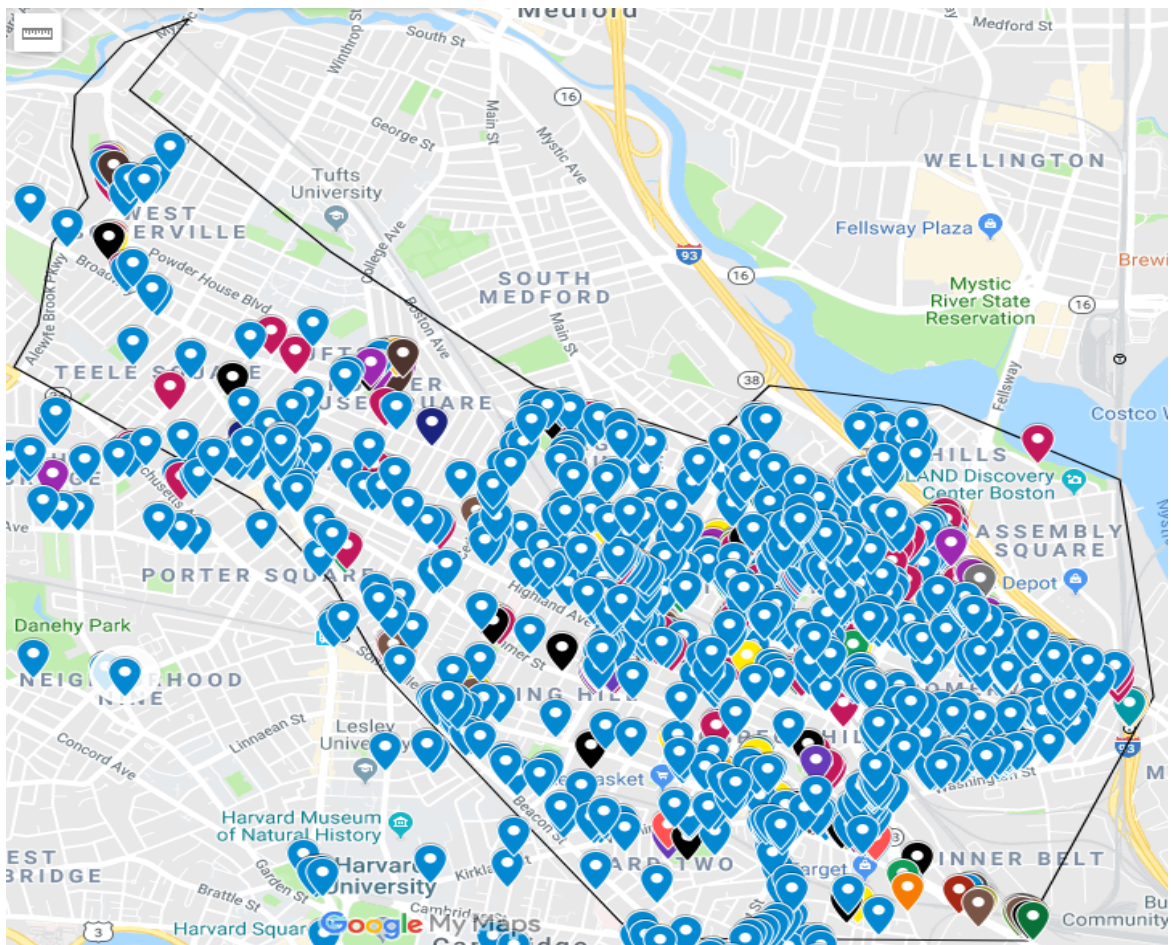
- For flavors, the most frequently found known* brands in Somerville included:
 - Fireball (Cinnamon Whiskey) – 296

50 EVERGREEN AVENUE  SOMERVILLE, MA 02145

- Smirnoff Vodka (Root Beer Flavored) – 90
- New Amsterdam Vodka – 55
- Dr. McGillicuddy’s Liqueur (Mentholmint Flavored) – 46
- Thompson American Whiskey – 43
- Smirnoff Vodka (Watermelon Flavored) – 40
- Evan Williams (Bourbon Whiskey) – 34
- Smirnoff Vodka (Green Apple Flavored) -33
- Jim Beam (Bourbon Whiskey) – 33
- Smirnoff Vodka (Pineapple Flavored) – 31
- Smirnoff Vodka – 31
- Jose Cuervo (Tequila) – 28

*There were an additional **149** unknown small alcohol bottles found in Somerville that could not be identified due to being crushed or label was ripped off.

- Overall, between December 1, 2018 and July 15, 2019, Somerville Prevention Services & partners found **1,398** littered small alcohol bottles across the City of Somerville.
- The map below shows the density and location of where each individual nip was roughly located with respect to Somerville:



Somerville Prevention reached out to local package/liquor store owners to host a brainstorming session on what could be done to address the issues or concerns highlighted by the data.

Out of twenty-nine (29) total package/liquor stores owners in Somerville invited, representatives from five (5) stores attended the conversation including Downtown Wine & Spirits, Joe's Liquors, Proof Liquors, Sav-Mor Liquors, & Woody's Liquors. Each package/liquor store was given an opportunity to give their opinions of littered small alcohol bottles as well as other littered items. In addition, representatives brainstormed potential solutions at a local and state level. Please see attached meeting minutes for further particulars of the discussion.

Recommendations included:

- **Increase trash receptacles: The City working with the Department of Public Works (DPW) to install more trash receptacles, particularly in East Somerville.**
 - The DPW's Highway Department currently maintains an inventory of 188 high-capacity Big Belly trash and recycling containers and roughly 286 decorative metal trash and recycling barrels.
 - The Highway Department empties all decorative and Big Belly barrels in the Squares and on East Broadway nightly. Big Belly barrels in other Squares are emptied when medium full or more, and every Big Belly is emptied every weekend. All other barrels are emptied at least twice per week and every weekend.
 - SomerStat and HHS conducted a survey of all the barrel locations on East Broadway, inspecting for inventory accuracy, potential gaps in coverage, rodent damage, and hot spots for small alcohol bottles:
 - The 2015 barrel inventory should be updated. DPW will update the inventory in the Fall of 2019.
 - Two potential gaps in coverage were determined near Garfield Avenue and near Benedict Avenue. DPW will add 4 new Big Belly locations and swap decorative barrels with Big Belly barrels in four other locations along Lower Broadway.
 - Only 3 out of 20 decorative barrel liners had chew damage. DPW piloted the application of a surface coating to discourage rodent activity. The inventory showed success and DPW will apply surface coating.
 - Small alcohol bottles were found around benches adjacent to package stores. DPW will shift decorative barrels into these locations.
 - Proposed Barrel Location Policy for Lower Broadway & Squares
 - Within 50 steps of all MBTA stops
 - Within 50 steps of food service locations
 - At benches adjacent to package stores
 - In the Fall, SomerStat, DPW, & HHS will reassess the success of these measures and determine whether to apply them to the other squares in the City.
- **HHS & Somerville Prevention will be working with the Inspectional Services Department (ISD) to increase enforcement of littering regulations, specifically:**
 - Sec. 9-54. – Trash and litter removal from sidewalks
 - (a) No owner, tenant, or occupant of land or a building abutting upon a sidewalk within the limits of any public way in this city, and no agent of such owner having the charge of such land or building, shall place or suffer to remain on such sidewalk any rubbish, refuse, debris, garbage, scrap, by-products and other

waste material. Such rubbish, refuse, debris, garbage, scrap, by-products and other waster material shall be removed on a daily basis and shall not be allowed to remain during any part of the nighttime, except as otherwise provided by ordinance regulating the collection of trash.

- (b) Whoever violates any of the provisions of this section shall be fined in accordance with section 1-11
- (c) Upon neglect or violation of the duty imposed by the provisions of this section, such duty may be performed by the superintendent of the highway division of the department of public works at the expense of the person liable to perform the same.

(Ord. No. 1990-15, 12-13-90; Ord. No. 2005-11, § 14, 7-14-2005)

- Sec. 9-55. – Trash and litter removal storefronts and businesses
 - (a) No person in control of a place of business abutting a street shall knowingly suffer any rubbish, litter, or other refuse to remain in the open on the estate upon which such place of business is located, including the sidewalk immediately adjacent to such business, except in a receptacle from which such rubbish, litter, or refuse is not likely to be blow onto such street.
 - (b) Every business establishment licensed by the board of health as a “retail food store” or as a “food services establishment” as those terms are defined by department of public health regulation 105 CMR 590.001 and which provides private off-street parking for its customers shall provide one or more trash barrels to be located and properly secured outside such establishment at all times. The required number and size of said barrels and the frequency at which the barrels must be emptied shall be determined by the board of health. In no event shall said barrels be emptied less frequently than once a day.
 - (c) Whoever violates any of the provisions of this section shall be fined in accordance with section 1-11.

(Ord. No. 1990-16, 12-13-90; Ord. No. 1996-2, 3-28-96; Ord. No. 2005-11, § 15, 7-14-2005)

Suggested City Best Practices:

- ***A resolution from the City of Somerville calling on the state to follow through on an effort to expand the existing Massachusetts Beverage Container Recovery Law, often referred to as the “Bottle Bill”, to include a bottle deposit for nips would be recommended.***

While some communities are studying banning these types of 50 mL & 100 mL containers outright (City of Chelsea - currently in litigation, being appealed by the liquor industry), we believe a more effective approach to reducing this form of litter and subsequent youth exposure would be to educate legislature on the benefits of amending the bottle bill to include a 5-cent deposit for nip bottles, similar to what the State of Maine did last year by increasing prices 50-cents to go along with the 5-cent bottle deposit

(<https://www.maine.gov/dep/sustainability/bottlebill/index.html>).

- There are at least four related legislative bills under consideration in Massachusetts on Beacon Hill including:

- One bill filed by Sandwich State Representative, Randy Hunt:
<https://malegislature.gov/Bills/191/H2881>
 - Another bill filed by Senator Sal DiDomenico:
<https://malegislature.gov/Bills/191/S452>
 - Representatives from Cambridge, Everett, & Somerville met with Senator DiDomenico's office in July 2019 to educate them on our #NipIt campaign.
 - The other two aim to improve the recycling of nip bottles and other containers.
- ***Amend regulations to include that small alcohol bottles, including "Nips", may be sold only from a location that is not accessed directly by customers, such as from behind a counter, requiring customers to ask for product.***
 - Brookline regulations state, "'Nips": "Nips" may be sold only from a location that is not accessed directly by customers, such as from behind a counter.

Suggested Package/Liquor Store Best Practices:

- ***Package/liquor store owners develop a system to encourage staff to look around the outside of the property (including parking lots, if applicable, sidewalks, & curbs) throughout shifts to proactively document and dispose of littered small alcohol bottles.***
- ***Package/liquor stores display message that encourage customers to dispose of small alcohol bottles appropriately.***
 - SAPC partners developed posters created by Somerville Positive Forces (SPF) youth to be available to all Somerville package/liquor stores for free.