

# United States Senate

WASHINGTON, DC 20510-2309

October 20, 2010

The Honorable Margaret A. Hamburg, M.D.  
Commissioner of Food and Drugs  
U.S. Food and Drug Administration  
10903 New Hampshire Avenue  
Silver Spring, Maryland 20993-0002

Dear Commissioner Hamburg,

On July 29, 2010, Senators Schumer, Feinstein, Klobuchar, and Merkley wrote to express their concerns over the safety of caffeinated alcoholic beverages. I write to join my colleagues, and request that the Administration issue guidance as to the health and safety risks of caffeinated alcoholic beverages such as "Four Loko" and "Joose."

I share my colleagues' concerns about these beverages, which combine high levels of caffeine and alcohol and are known to have serious harmful effects. A 2007 study conducted by Wake Forest University found that students who consume caffeinated alcoholic beverages are twice as likely to be hurt, require medical attention, ride with a drunk driver, and become victims of sexual assault than other drinkers. These students further report higher rates of binge drinking and drunkenness for users of these beverages. These results are startling.

In light of evidence of their harmful effects, I ask that you issue a formal policy regarding caffeine levels in alcoholic beverages.

On November 13, 2009, the Administration announced an inquiry into the safety and legality of caffeinated alcoholic beverages. I applaud the Administration for taking this step. However, I, like my colleagues, am concerned that the Administration has yet to disclose any subsequent action on this matter. The Administration should take action, and disclose such action to legislators and the American public, as soon as possible.

Again, I would like to add my voice to those of my colleagues and respectfully request that I be included in any further correspondence with my fellow senators on this issue. Thank you for your prompt attention to this matter.

Sincerely,



Al Franken  
United States Senator