



**DISTILLED SPIRITS COUNCIL
OF THE UNITED STATES**

March 5, 2025

Hon. Craig Hickman, Chair
Hon. Laura Supica, Chair
Maine Joint Committee on Veterans and Legal Affairs
100 State House Station
Augusta, ME 04333

Re: Statement on LD 631
Oppose

Chairs Hickman and Supica and members of the Veterans and Legal Affairs Committee:

This testimony is submitted on behalf of the Distilled Spirits Council of the United States, a national trade association representing producers and marketers of distilled spirits and importers of wines sold in the United States with regard to LD 631.

There are two primary reasons for our opposition: a federal ban on home distilling, and the significant risks and dangers inherent in home distilling.

First, as the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB) states, "federal law strictly prohibits individuals from producing distilled spirits at home (see 26 United States Code (U.S.C.) 5042(a)(2) and 5053(e))." While the U.S. District Court for the Northern District of Texas ruled in favor of the plaintiff challenging the federal prohibition in *McNutt v TTB*, that ruling is on appeal in the U.S. Court of Appeals for the Fifth Circuit.

Second, regardless of the question of the federal ban, home distilling should remain prohibited because home distilling can be incredibly dangerous. The process of distillation is incredibly complicated, and the liquid that results from distillation not infrequently results in tragic consequences, such as blindness and death, if made improperly or illicitly.

There are numerous significant risks when distilling alcohol, and one of them is the by-product of methanol. Methanol, which occurs naturally in the fermentation process, must be removed using carefully-designed and executed procedures. Failure to remove methanol from distilled spirits can cause blindness, severe illness, and even death. It is also not necessary for the methanol to be consumed to result in these significant harms, as methanol poisoning can also occur through simple inhalation in the distilling process.

Additionally, stills have the potential to explode and cause injury and death if the alcohol is not carefully distilled and the still pressure appropriately managed. Alcohol becomes very highly flammable and explosive in high concentrations under pressure and operating a still requires extensive expertise both in the process of making alcohol but also in the necessary safety procedures to protect life and property. Allowing home distillers to operate stills in their homes or garages places not only their lives at risk, but

also those who live adjacent to them. Explosions and fires can and do happen even when experienced operators are managing the process, so allowing inexperienced or hobby distillers operate stills in our communities harms public safety and the health of our families and communities. DISCUS members fully understand these risks and the need for continuing education even amongst professional distillers and, as a result, has operated a Safety and Risk Management Committee for over five decades. This Committee is comprised of health and safety professionals at our member companies who come together to share expertise and best practices to increase the fire protection and risk management knowledge in the industry. Over the last several years, this group has published guidance on still pressure and vacuum relief valves and their explosive potential, avoiding barrel handling injuries, and an update to our comprehensive distillery fire protection guide. These industry experts are safety professionals and work every day to make their facilities and industry safer.

We appreciate your consideration of our views regarding LD 631. Should you have any questions, please don't hesitate to contact me by telephone at 207-831-8285 or by email at andy.deloney@distilledspirits.org, or our Maine counsel, Andy Hackman or Nina Fisher.

Sincerely,

A handwritten signature in black ink, appearing to be 'AD' with a stylized flourish at the end.

Andy Deloney
Senior Vice President & Head State Public Policy

cc: Members of the Joint Committee on Veterans and Legal Affairs