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Proponents for the freedom to choose by opposing the “Restraint of Minors from Accessing an Irresponsible Amount of Caffeine.”

As a member of the Montana Coalition to Protect Constitutional Rights (MCPCR) I therefore oppose any bill that intrudes upon an individual’s right of privacy, which is protected by the 9th Amendment and extended to the states by the 14th Amendment (Hager).

Caffeine has been an integral part of human society for thousands of years. Caffeine use has been popular all over the globe since its genesis around 2700 B.C. in China, the earliest record of caffeine consumption. Caffeine is a naturally occurring substance found in the leaves, seeds or fruits of more than 60 plants, including coffee, green and black teas, and cacao. In the twentieth century caffeine was recognized by the American Food and Drug Administration (FDA) as being “Generally Recognized as Safe” (GRAS). Currently in North America, 90% of adults consume caffeine daily. The total global consumption of caffeine has been estimated at 120,000 tons per year.

I object to any bill that aims to limit caffeine consumption by minors. Not only would such a bill be a clear infraction of the Constitutional rights of the individual, but it would also cost the senate valuable tax dollars. If a bill were enacted, law enforcement officials would need to spend time pursuing adolescents attempting to purchase caffeinated beverages. As the average cost of one police officer in Montana is \$47,000 per year (Police,) the added cost of law enforcers would far exceed any benefits of the law.

Any bill to restrict caffeine consumption would also hurt business among the gas stations and grocery stores through out the state, as they would lose the business of all adolescents who would have purchase multiple caffeinated beverages. Additionally, it is impossible for officers to test the amount of caffeine that has been consumed by an individual. Therefore, the bill would be impossible to enforce.

This document is in compliance with the Montana YMCA Youth and Legislature Lobbyist Disclosure Policy.

Hager, Paul. "The Drug War and the Constitution." Schafer Library of Drug Policy. March 6 2010.

<<http://www.druglibrary.org/schaffer/DEBATE/dwarcon1.htm>>.

"Police Officers Salaries in Montana." Indeed Salaries. March 6, 2010.

<<http://www.indeed.com/salary/q-Police-Officer-1-Montana.html>>.