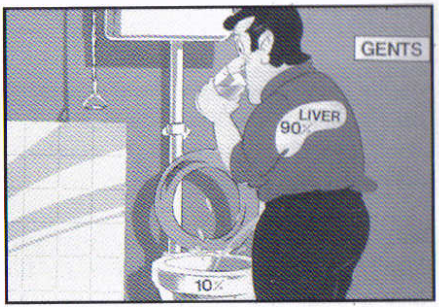

It is important to remember that, while alcohol is still being absorbed from the stomach and/or duodenum, the blood alcohol level will initially be rising much faster than the simultaneous rate of breakdown in the liver. Only when the rate of alcohol absorption falls to below the rate of elimination will the overall BAC, and hence the BrAC, start to decrease.

This phase of alcohol metabolism, known as the ***alcohol elimination phase***, lasts until all the alcohol has been removed from the body.

When absorption is finally complete, the rate of decrease in the blood and breath

alcohol levels reflects the rate solely at which the liver is removing alcohol from the blood, as well as the small contribution to elimination made by the urine, breath and sweat.

The rate at which the liver removes alcohol from the blood varies from person to person, and even in the same individual on different occasions, but the average is generally between 15 and 25mg per 100ml [.015 or .025% BAC] every hour, resulting in a ***breath*** alcohol decrease of between 6 and 11µg/100ml (.06 and 0.11mg/l BrAC) per hour, during the elimination phase.

This means that in practical police work a person's alcohol level, when measured at the roadside using a screening device and found to be just in excess of the prescribed limit, ***could*** then metabolise sufficient alcohol to decrease his or her level to below the prescribed limit in the time period leading up to his arrest at the roadside and the evidential breath analysis at a police station.