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February 6, 2006

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Director
Regulations and Rulings Division
Alcohol and Tobacco Tax and Trade Bureau
Attn: Notice No. 53
P.O. Box 14412
Washington, D.C. 20044-4412

Re: Use of "Pure" in Advertisements of Alcohol Beverage Products
Advanced notice of proposed rulemaking
Notice No. 53, 70 FR 72731 (December 7, 2005)

Attn: Lisa M. Gesser
Joanne C. Brady

Dear Madam/Sir:

I am writing on behalf of Russian Standard Vodka (USA), Inc., which company has recently begun marketing Imperia and Russian Standard brand vodkas in the United States. These vodkas are luxury vodkas which emphasize the highest quality in the ingredients, manufacturing process, presentation, and vodka itself. As a matter of sound public policy and constitutional guarantees related to free speech, accurate, non-misleading information regarding the quality and purity of vodka should be permitted in advertisements.

The Administrator is requested to hold a public hearing on the issues raised in the advanced notice of proposed rulemaking. 70 FR at 72731, 72733.

The notice raises a number of specific questions, 70 FR at 72733. This letter responds to those questions according to the letter of the alphabet used in the notice.

- A. Our client believes that the term "pure" when used to describe vodka conveys information to the general public regarding the quality of the ingredients, the manufacturing process, and the vodka itself. Our client does not believe that the use of the term "pure" or related terms conveys to the general public information about the alcohol content of vodka.

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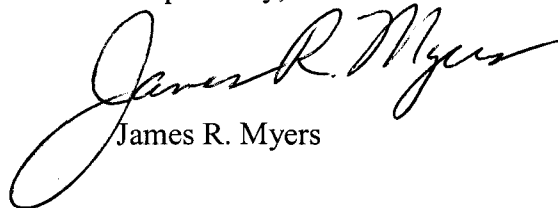
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- B.** To the extent that the statements in advertisements are accurate and not misleading, the TTB should not prohibit the use of “pure” or related terms in vodka advertising.
- C.** Same as B.
- D.** The TTB should amend its regulations to permit the use of the word “pure” and its variants in vodka advertising. Advertisers advancing “pure” claims should conduct reasonable tests using appropriate scientific methodologies to substantiate such claims in vodka advertising. Such “pure” claims should reasonably relate to the quality of the vodka itself, the manufacturing process, or the ingredients.
- E.** The TTB should consider through a public hearing and rulemaking procedure whether a standard for “pure” claims in vodka advertising should be established.
- F.** Allowing the use of accurate, non-misleading “pure” claims in vodka advertising would improve the quality of information made available to the general public about the quality of the vodka sold in the marketplace.

Russian Standard Vodka (USA), Inc. appreciates this opportunity to comment on the issues raised by this notice of proposed rulemaking.

Respectfully,



James R. Myers