

<< 0041026 >>

DET DISTRIBUTING COMPANY
August II, 2003

Attn: TTB Notice No. 4
Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
PO Box 50221
Washington, D.C. 20091-0221

Dear Sir or Madam:

Det Distributing Company supports the proposed rule issued in March 2003 by the Tax and Trade Bureau (TTB) that outlines the alcohol content requirements in order for flavored malt beverages (FMB) to be classified as beer. The TTB proposes that for an FMB to be classified as beer, its alcohol content from distilled alcohol cannot exceed 0.5%.

Beer has been regulated and taxed differently than other alcohol beverages throughout United States history. The distinct regulatory treatment of beer is based on its age-old production process, and its definition in the Internal Revenue Code dates back to the 1800s when Congress first imposed the beer excise tax. By approving the TTB "0.5 by volume standard", the integrity of beer and the brewing process would be ensured.

Equating beer and beverages that derive a majority of their alcohol content from distilled spirits could weaken the important distinctions between beer and products with higher alcohol content. If traditional distinctions disappear, it will only be a matter of time before other producers of alcohol beverages attempt to categorize themselves as beer products.

The following three facts need to be remembered, beer is not distilled spirits, beer is not fortified wine and beer is not a product that has been made through the distillation process. Beer is made through the brewing process. The 0.5% standard will ensure that the integrity of beer remains.

Again, Det Distributing Company encourages the TTB to give final approval to the proposed 0.5% standard on FMBs.

Sincerely,

Fred Dettwiller
President

301 GREAT CIRCLE ROAD - NASHVILLE, TENNESSEE 37228 - 615.244.4113 - FAX 615.255-0122