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NEW JERSEY GENERAL ASSEMBLY
RICHARD A. MERKT COMMITTEE
ASSEMBLYMAN, 25TH DISTRICT JUDICIARY
PART OF MORRIS COUNTY
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August 13, 2003

VIA Facsimile and U.S. Mail

Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
Post Office Box 50221
Washington, DC 20091-0221

Re: Proposed Rulemaking for Flavored Malt Beverages (2001R-136P)
Dear Sir or Madam:

I am writing to express my support of the United States Treasury Alcohol and Tobacco Tax and Trade Bureau's proposed rulemaking for flavored malt beverages.

I believe the proposed 0.5% standard is the most efficient means to address recent concerns by both federal and state officials. If adopted, the standard will maintain an orderly marketplace, provide consumers with consistent products, and assist in sustaining the long-term development of the product category. In addition, these reformulated products will be consistent with state tax, license and distribution laws allowing wholesalers and retailers to continue to distribute, sell and market flavored malt beverages. Without a national standard manufacturers, retailers and wholesalers will face a potential for a patchwork of individual state laws and regulations where the same product may be sold as a "beer" in one state and as a "distilled spirits" in another.

I believe the TTB's action is an important clarification of federal alcohol beverage categories established to maintain an orderly US marketplace. Further, I think the debate surrounding the proposed standard poses important issues for the stability of the retail licensing system and the overall marketplace.

Once again, I would like to express my strong support of the current TTB proposed rulemaking for flavored malt beverages. Thank you in advance for your attention to this matter.

Sincerely

Richard A. Merkt
Assemblyman - District 25

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