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Burkhardt
Sales and Service
St Augustine FL • Gainesville FL

August 7, 2003

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

Dear Sir or Madam,

We at Burkhardt Sales and Service of St. Augustine, FL and Burkhardt Sales and Service of Gainesville, FL, would like to express our support for the proposed "0.5 by volume standard". This rule, proposed by the TTB in March 2003, provides that for a flavored malt beverage (FMB) to be classified as beer, its alcohol content from distilled alcohol cannot exceed 0.5 %.

Throughout our nation's history, beer has been regulated and taxed differently than other alcohol beverages, such as distilled spirits and fortified wine. Beer has its own unique brewing process, and it is from this process where a beer's alcohol is derived. Currently, many of the new FMBs derive a considerable amount of their alcohol from the flavoring, creating a blurring of the traditional lines of distinctions between these beverages.

We believe it is important to keep the distinctions between beer and other alcohol products in order to maintain order and consistency in the regulation and taxation of these products. Simply stated, the 0.5 by volume standard will give everyone a clear understanding of what beer is and what beer is not.

We urge you to give final approval to the proposed 0.5% standard on flavored malt beverages.

Sincerely

T. Brookes Burkhardt
President

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