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HEIDELBERG Dist. Co.  
1247 Leo Street Dayton, Ohio 45404 tel: (937) 220-6401

Vail K. Miller  
CO-CHAIRMAN

August 7, 2003

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

Dear Sir or Madam:

Heidelberg Distributing Company supports the proposed rule issued in March 2003 by the Tax and Trade Bureau that outlines the alcohol content requirements for flavored malt beverages to be classified as beer. That requirement basically limits the amount of alcohol from distillation to be above 0.5%.

Beer is a unique product and the regulatory treatment of beer is based upon its age-old production process. Adoption of the 0.5 by volume standard would ensure the integrity of beer and the brewing process and eliminate confusion amongst consumers.

While states have control over the regulation of alcohol sales, most follow federal guidelines. This rule will help distinguish the differences in beer and other products.

If these differences disappear, it will encourage other producers of alcoholic products to attempt to categorize themselves as beer.

Beer is not distilled spirits. It does not use distillation but is made from a traditional brewing process. The 0.5 rule will ensure that the integrity of beer remains.

Heidelberg Distributing Company endorses the TTB to give approval to the proposed 0.5% standard on Flavored Malt Beverages.

Sincerely,

Vail K. Miller  
CO-Chairman

Budweiser. Bud Light. Michelob . Michelob Light Busch . Natural Light . O'DouI's/Amber