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From: Jerome Chicvara [jchicvara@portbrew.com]
Sent: Tuesday, October 21, 2003 4:19 PM
To: nprm@ttb.treas.gov
Subject: Malternative rulemaking..

Dear Sir or Madam,

As an employee of Portland Brewing and someone who is genuinely concerned about preserving the integrity of beer, I am writing to express my indignation and outrage at the alcohol companies that have used a loophole in the law to sell hard liquor as beer. I support the US Treasury's Alcohol, Tobacco Tax and Trade Bureau proposed rulemaking for flavored malt beverages. (2001R-136P)

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

The TTB standard is the most efficient method to address the recent concerns voiced by Federal and State officials. If adopted, the standard will maintain an orderly marketplace, meet consumer expectations for consistent products, and help sustain 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 as they do today.

Without a national standard rooted in existing law and regulation-manufacturers, retailers, and wholesalers will face a potential for a patchwork of individual state laws and regulations where the same product may ultimately be sold as a "beer" in one state and as a "hard

liquor" in another.

While there are some who have concerns regarding the ability of manufacturers to produce Flavored Malt Beverage products in accordance with the new proposal, as you may know, brewers have already demonstrated the technical expertise to brew these products under the new federal standard.

Thank you for this opportunity to offer my support for your proposed FMB rule preserving the unique differences and integrity of beer.

Sincerely,
Jerome Chicvara
CEO Portland Brewing Co.