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From: Mark Banke [mbanke@maltbev.net]
Sent: Wednesday, October 22, 2003 5:24 AM
To: nprm@ttb.gov
Subject: Reference TTB Notice No. 4

As an employee of Miller Brands of Omaha, Omaha Nebraska I am writing to express my support for the TTB'S proposed rulemaking for flavored malt beverages which preserves the integrity of beer.

> > I believe the TTB's action is an important clarification that ensures > that if a FMB product is to be sold as a malt beverage, it should be > made as a malt beverage according to traditional brewing methods and > processes.

> > If your rule is adopted, consumers will still be able to enjoy FMB > products and wholesalers and retailers to will continue to be able to > distribute, sell and market flavored malt beverages as they do today.

> > However, absent your new standard, brewers, 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 "hard liquor" in another...in fact, I understand > that we are already seeing this kind of situation in the state of > Nebraska and will almost certainly see this situation in several other > states.

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

> > Sincerely,

Mark Banke

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