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BUCK DISTRIBUTING COMPANY, INC.
www.buckdistributing.com

August 20, 2003

Attn: TTB Notice No. 4
Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P.O. Box 50221
Washington, DC 20091-0021

Dear Sir or Madam:

Buck Distributing Company supports the proposed rule issued in March 2003 by the Tax and Trade Bureau dealing with the alcohol content requirements in order for flavored malt beverages to be classified as beer. I totally agree with the decision that for a flavored malt beverage to be a beer the distilled alcohol should not exceed 0.5%.

Our company is a 57 year old business that started with beer, then during the 70's we added wine and distilled spirits which we got ride of in the 80's. I know first hand the differences between these product and want to make sure the distinctions of how they are treated remain the same. The history of alcohol in the United States has taken many twists and turns but one constant throughout since the 1800's when Congress first imposed the beer excise tax is the definition by the Internal Revenue Code that ensures the age-old process of brewing beer. The confirmation by TTB or the "0.5 by volume standard" will maintain and protect beer and the brewing process.

Although we have the 21st amendment to our Constitution giving the states the Rights to regulate alcohol, most of the states follow the lead of the federal Regulatory guidelines. I do not believe our industry needs confusion right now. We are looking to you for leadership in this flavored malt beverage category. As a distributor who has handled all of the available types of alcohol, I am a strong believer that a drink is not a drink, that the way you tax and regulate different types of alcohol should remain intact.

IF WE LOSE THE LINE OF DISTINCTION BETWEEN BEER AND DISTILLED
SPITIRTS OTHER ATTEMPTS WILL FOLLOW AND THE INNOCENT
CONSUMER WILL BE THE LOSER!

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Beer is beer, its brewing process is totally different than wine or distilled spirits. If it is not brewed in the age old tested brewing process it is not beer. Make all the providers of Flavored Malt Beverages return it to the proper brewing process.

Buck Distributing Company strongly urges the TTB to give final approval to the proposed 0.5% standard on all Flavored Malt Beverages.

Sincerely

Elizabeth J. Buck
President