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From: clyerly@earthlink.net

Sent: Tuesday, October 21, 2003 10:19 AM

To: nprm@ttb.gov

Subject: TTB Notice #4

10-21-03

Chief, Regulations and Procedures
Division Tax and Trade Bureau PO Box
50221 Washington, D.C. 20031-0221 RE: TTB
Notice #4, Flavored Malt Beverages and
Related Proposals (2001R-136P) Dear Sir
or Madam: I support the proposed
regulations for products marketed as
flavored malt beverages (FMBs), as set
forth by the Tax and Trade Bureau (TTB)
in TTB Notice No. 4 of March 2003. Beer
is a beverage with malt flavor and hop
bitterness, flavor and aroma. FMBs
display none of these characteristics,
and should not be considered beer by any
definition. A comparison can be drawn to
the growth of fruit beers in the United
States. While revolutionary in their
flavor and aroma, these products were
clearly beers that had flavorings added.
There is no mistaking the hop and malt
character evident in all of these
products. FMBs are not beer-like in the
least.

There are over 100 recognized beer
style categories and subcategories, as
recognized by the American Homebrewers
Association and the Association of
Brewers. The Beer Judge Certification
Program, which sets parameters for beer
evaluation and style, has not recognized
FMBs as a beer style for any of the
competitions they sanction.

To consider FMBs as beer is a threat to
beer culture in the United States, and
would be damaging to the businesses of
the large and small brewers around the
country. In 1978 there were only 42
breweries in the U.S.; now there are over
1400. A whole industry of small brewers
has formed over this period, but that
number is now shrinking again, in part
due to favorable business conditions
provided to FMB producers over beer
brewers.

In summary, I support the
proposed "0.5% standard" for FMBs in
order to preserve beer culture and to
defend the image of what the general

