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From: Henning, Eric [EHenning@dykema.com]

Sent: Tuesday, October 21, 2003 2:22 PM

To: nprm@ttb.gov

Subject: Reference TTB Notice No. 4

Eric J. Henning

854 Blacksmith Trail

Williamston, MI 48895

(517) 655-5796

Chief, Regulations and Procedures Division

Alcohol and Tobacco and Trade Bureau

P.O. Box 50221

Washington, D.C. 20091-0221 Re: Reference TTB Notice No. 4

Dear Sir or Madam:

>

> As a state legislative consultant for Miller Brewing Company, 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, several officials in
> my state have already suggested this as a possibility and have sent letters

in support of the proposed rule.

>

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

>

> Sincerely,

>

> Eric J. Henning

Michigan

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