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WESTERN BEVERAGE DISTRIBUTING COMPANY

September 4, 2003

ATTN: TTB Notice #4
Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
PG Box 50221
Washington DC, 20091-0221

Dear Sir or Madam:

As an owner and Chief Executive Officer of Western Beverage , a large wholesaler of beverages in Colorado, I support the proposed rule recently issued by the Tax and Trade Bureau in TTB Notice Number 4 of March 2003 regarding the alcohol content of Flavored Malt Beverages (FMBs). This rule would require that no more that 0.5% of the alcohol content of FMBs be derived from distilled alcohol in order to be classified as "beer".

We believe this proposed rule as a critical step toward consistent classification of these products. While states have traditionally had independent regulatory powers on how to classify alcohol products, they have followed Federal policy in their decisions related to taxation, licensing, and distribution of alcohol. Colorado is no exception. Federal leadership in this important area will likely be followed at the state level and will work to maintain an orderly marketplace.

The Western Beverage management and its employees support the proposed rule, and respectfully requests that the TTB adopts TTB Notice Number 4.

Sincerely,

V Gaines
CEO

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