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STEVE JOHNSON Senate Chamber COMMITTEES
State Senator of Chairman of:
5928 Lakeview Drive State Colorado Health, Environment, Welfare, &
Fort Collins, Colorado 80526 Denver Institutions
Capitol: (303) 866-4853
 Vice-Chairman of.
Home: (970)2238045 Transportation
steve.johnson.senate@state.co.us Member of:
 Business Affairs & Labor

September 29, 2003

Attn: TTB Notice No. 4
Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P.O. Box 50221
Washington, D.C. 20091-0221

Dear Sir or Madam:

As a State Senator from Colorado and Chainnan of the Health, Environment, Welfare and Institutions Committee, I support the proposed rule recently issued by the Tax and Trade Bureau in TTB Notice No. 4 of March 2003 regarding the alcohol content of Flavored Malt Beverages ("FMBs"). This rule would require that no more than 0.5% of the alcohol content of FMBs be derived from distilled alcohol in order to be classified as "beer."

The proposed rule will determine how states classify these products and will work to maintain an orderly marketplace. While states have traditionally had independent regulatory power on how to classify alcoholic products, they have followed federal policy in their decisions related to taxation, licensing and distribution of alcohol. Without the proposed federal standard, the same product may ultimately be sold as "beer" in one state and "distilled spirits" in another and would result in state regulatory compliance problems and consumer confusion. I support the proposed rule because it provides important protections for consumers who need accurate information as to the nature of the beverage alcohol products they purchase.

Sincerely,

Steve Johnson
State Senator

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