

<< 0040640 >>

BIG SKY
DISTRIBUTORS

14220 WYANDOTTE STREET

KANSAS CITY, MO 64145

TEL (816) 941-3300

1900 WEST 142ND STREET

LEAWOOD, KS 66224

TEL (913) 897-4488

August 7, 2003

Att: TTB Notice No. 4
Chief Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P.O. Box 50221
Washington, D.C. 20091-022 1

Dear Sir or Madam:

Big Sky Distributors, LLC supports the proposed rule issued March of this year, which outlined requirements in order for flavored malt beverages to be classified as beer, alcohol from distilled sources can not exceed 0.5%. The adoption of the TTh "0.5% by volume standard" will ensure the integrity of beer and the brewing process.

Beer is a unique product and has been treated differently from other alcohol beverages with regard to regulation and taxation throughout our nations history. The proposed TTB rule is consistent with the historical interpretation of what constitutes beer and other malt beverages, the distinctions between beer and products with higher alcohol contents regarding regulation and federal tax codes. This proposed rule will help maintain an orderly marketplace and avoid costly and confusing disruptions at state levels in terms of licensing, taxation, distribution policies and regulation of beer and other alcohol products.

Beer is not a distilled spirit or a fortified wine and is not produced through those processes. Beer is made through the brewing process. The 0.5% standard will ensure the integrity of beer remains and mandate other producers of alcohol beverages can not attempt to categorize themselves as beer.

Big Sky Distributors supports the TTB giving final approval to the proposed 0.5% standard on FMB's.

Sincerely,

Robert D Weingarten
President