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WESTERN BEVERAGE, INC.
301 East Wyatt Earp P.O. Box 124 Dodge City KS 67801 • 620-227-7641

August, 7, 2003

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

Dear Sir or Madam:

Western Beverage, Inc. supports the proposed rule that outlines the alcohol content requirements in order for flavored malt beverages to be classified as beer. Specifically, the Tax and Trade Bureau proposed that for an FMB to be classified as beer, its alcohol content from distilled alcohol cannot exceed 0.5%.

Beer is not a fortified wine. Beer is not distilled spirits, or a product that has been made through the distillation process. Beer is a unique product made through the brewing process. Adoption of the TTB "0.5 by volume standard" would ensure the integrity of beer and the brewing process. Beer has always been regulated and taxed differently throughout our nation's history. When Congress first imposed the beer excise tax, back in the 1800's, the distinction and regulatory treatment of beer was based on its production process. If traditional distinctions disappear, soon, other alcohol beverages producers will attempt to categorize their products as "beer".

Again, Western Beverage, Inc. encourages the TTB to give final approval to the proposed 0.5% standard on flavored malt beverages.

Sincerely,

Joseph J. Bogner
Owner/President
Western Beverage, Inc.

Budweiser. Bud Light Michelob . Michelob Light • Busch . Busch Light. O'DouI's/Amber