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OHIO SENATE  
ROBERT E SPADA 24th District  
Senate Building COMMITTEES:  
Columbus, Ohio 43215 Energy, Natural Resources and Environment,  
614-466-8056 Chairman  
Ways and Means and Economic Development  
Vice Chair  
Insurance, Commerce and Labor  
Public Utilities  
Joint Committee on Agency Rule Review

September 18, 2003

Chief, Regulations and Procedures Division  
Alcohol and Tobacco Tax and Trade Bureau  
P.O. Box 50221  
Washington, D.C. 20091-0221  
Attn: Notice 4

Dear Sir/Madame:

As a member of the Ohio General Assembly with an interest in the regulated beverage industry, I am writing to express my support for the U.S. Treasury's Alcohol and Tobacco Tax and Trade Bureau proposed for flavored malt beverages. (2001R-136P)

I believe the TTB 's action is an important clarification of federal alcohol beverage categories established to maintain an orderly U.S. marketplace. Further, I believe the debate surrounding the proposed standard poses important issues for the stability of the retail licensing system and the overall marketplace.

With my support for the proposed 0.5% standard, I am joining The Beer Institute, the National Beer Wholesalers Association, and major small brewer associations, among many others, because this standard is the most efficient means to address recent concerns by both federal and state officials. If adopted, the standard will maintain an orderly marketplace, meet consumer expectations for consistent products, and help sustain the long-term development of the product category. In addition, these reformulated products will be consistent with state tax, license, and distribution laws allowing wholesalers and retailers to continue to distribute, sell and market flavored malt beverages as they do today.

However, absent a national standard rooted in existing law and regulation, manufacturers, retailers, and wholesalers will face a potential for a patchwork of

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Finally, while there are some who have concerns regarding the ability of manufacturers to produce FMB products in accordance with the new proposal, as you may know, brewers have already demonstrated the expertise and technical ability to brew these products under the new federal standard. The FMB products that look and taste the same will be available to wholesalers and retailer in all states with no interruption and no discernable taste differences for consumers.

Thank you for this opportunity for me to offer my support for the current TTB proposed rulemaking for flavored malt beverages.

Sincerely,

Robert F. Spada  
State Senator  
24th District

RFS/clp