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From: Fiehrer, Arthur [Fiehrer.Arthur@mbco.com]

Sent: Tuesday, October 21, 2003 1:25 PM

To: 'nprm@ttb.gov'

Subject: Reference TTB Notice No. 4

> Dear Sir or Madam:

> > As an employee of Miller Brewing Company, I am writing to express my
> support for the TTB'S proposed rulemaking for flavored malt beverages
> which preserves the integrity of beer.

> > I believe the TTB's action is an important clarification that ensures that
> if a FMB product is to be sold as a malt beverage, it should be made as a
> malt beverage according to traditional brewing methods and processes.

> > If your rule is adopted, consumers will still be able to enjoy FMB
> products and wholesalers and retailers to will continue to be able to
> distribute, sell and market flavored malt beverages as they do today.

> > However, absent your new standard, brewers, retailers, and wholesalers
> will face a potential for a patchwork of individual state laws and
> regulations where the same product may ultimately be sold as a "beer" in
> one state and as "hard liquor" in another...in fact, I understand that we
> are already seeing this kind of situation in the state of Nebraska and
> will almost certainly see this situation in several other states.

> > Thank you for this opportunity to offer my support for your proposed FMB
> rule preserving the unique differences and integrity of beer. > > Sincerely,

>

Art Fiehrer