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From: Bryon Wheaton [wheat78@hotmail.com]
Sent: Wednesday, October 22, 2003 10:12 PM
To: nprm@ttb.gov
Subject: TTB notice #4 March 2003

10/22/03

Chief, Regulations and Procedures Division
Tax and Trade Bureau PO Box 50221
Washington, D.C. 20031-0221 RE: TTB Notice
#4, Flavored Malt Beverages and Related
Proposals (2001R-136P) Dear Sir or Madam: I
support the proposed regulations for
products marketed as flavored malt
beverages (FMBs), as set forth by the Tax
and Trade Bureau (TTB) in TTB Notice No. 4
of March 2003. Beer is a beverage with malt
flavor and hop bitterness, flavor and
aroma. FMBs display none of these
characteristics, and should not be
considered beer by any definition. A
comparison can be drawn to the growth of
fruit beers in the United States. While
revolutionary in their flavor and aroma,
these products were clearly beers that had
flavorings added. There is no mistaking the
hop and malt character evident in all of
these products. FMBs are not beer-like in
the least.

There are over 100 recognized beer
style categories and subcategories, as
recognized by the American Homebrewers
Association and the Association of Brewers.
The Beer Judge Certification Program, which
sets parameters for beer evaluation and
style, has not recognized FMBs as a beer
style for any of the competitions they
sanction.

To consider FMBs
as beer is a threat to beer culture in the
United States, and would be damaging to the
businesses of the large and small brewers
around the country. In 1978 there were only
42 breweries in the U.S.; now there are
over 1400. A whole industry of small
brewers has formed over this period, but
that number is now shrinking again, in part
due to favorable business conditions
provided to FMB producers over beer
brewers.

In summary, I support the proposed
"0.5% standard" for FMBs in order to
preserve beer culture and to defend the
image of what the general public considers
beer.

Sincerely, Bryon Wheaton
wheat78@hotmail.com