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Patton Distributing, Inc.  
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October 10, 2003

Attn: TTB Notice No. 4  
Chief, Regulation and Procedures Division  
Alcohol and Tobacco Tax and Trade Bureau  
P.O. Box 50221  
Washington, D.C. 20091-0221

Dear Sir or Madam:

Patton Distributing, a beer and wine wholesaler, supports the proposed rule recently issued in March 2003 that outlines the necessary alcohol content requirements in order for Flavored Malt Beverages (FMB) to be classified as beer. The proposed standard would require that in order for an FMB to be classified as beer, its alcohol content derived from distilled alcohol can not exceed 0.5%.

Beer is a unique type of alcohol that has been regulated and taxed differently than other alcohol beverages throughout our nation's history. The distinction beer enjoys is based on its age-old production process. The proposed rule is consistent with the historical interpretation of what constitutes beer and other malt beverages.

Such policy consistency is important because while states enjoy regulatory power over alcohol, most follow federal guidelines. This proposed rule would help maintain an orderly marketplace, thus avoiding costly and confusing disruptions in state licensing, taxation and distribution policies.

Once again, Patton Distributing encourages the TTB to give a approval to the proposed "05% standard" on FMB's.

Sincerely,

John Bieranowski  
Operations Manager