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October 13, 2003

Chief, Regulations and Procedures Division
Tax and Trade Bureau
PG Box 50221

Washington, D.C. 2003 1-0221

RE: TTB Notice #4, Flavored Malt Beverages and Related Proposals (200 1R-136P)

Dear Sir or Madame

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,

Edward L. O'Neill

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