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10/9/2003

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 (2001 R-136P)
To the decision makers:

Cricket Hill Brewing Co., Inc supports the proposed regulations for products marketed as flavored malt beverages as set forth by the Tax and Trade Bureau in TTB Notice #4 of March 2003.

It is appropriate that the limit of Alcohol in a "beer" derived from distilled spirits be limited to .5% alcohol by volume. The .5% standard is fair across the board for all beverages, and certainly should apply to Flavored Malt Beverages as well. Beer is a beverage with malt flavor and hop bitterness, flavor and aroma. However, the Flavored Malt Beverages analyzed by the TTB do not show these characteristics; they should not be considered or taxed as beer.

The proposed regulations return fairness to the brewing industry that has been compromised by recent entries in the Flavored Malt Beverage category.

In summary, our company supports the proposed "0.5% standard" for FMBs for reasons of fairness and to protect the general public from being fooled by labeling trickery.

Sincerely,
Cricket Hill Brewing Co. Inc.

Earl F. Reed III, president