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CONGRESS OF THE UNITED STATES  
WASHINGTON, DC 20515

October 21, 2003

Mr. William Foster  
Chief, Regulations & Procedures Division  
Alcohol & Tobacco Tax & Trade Bureau  
U.S. Department of Treasury  
ATTN: Notice Number 4  
P.O. Box 50221  
Washington, D.C. 20091

Dear William,

We support the proposed TTB rule regarding the alcohol content of Flavored Alcohol Beverages (FMBs). This rule would require no more than 0.5% alcohol content of FMBs be derived from distilled alcohol in order for an FMB to be classified as a beer.

The proposed rule will help maintain an orderly marketplace and determine how states classify these products. While states have traditionally held independent regulatory power with regard to these alcohol products, they have followed federal policy in their decisions related to taxation, licensing, and distribution of alcohol. Without the proposed 0.5% federal standard, the same product may be sold as a beer in one state and distilled spirits in another. This situation would create state regulatory compliance issues and consumer confusion. A federal policy setting clear, distinct definitions for each alcohol beverage category is vital in order to guarantee consistent state tax, licensing, and distribution policies. Our home state of Mississippi and several other states support this rule change as a critical step towards consistent classification of FMBs.

We respectfully urge your support of the TTB Notice No. 4 rule change (0.5%). Thank you for your time and consideration of this important matter.

Sincerely,

Rep. Roger F. Wicker      Rep. Benne Thompson

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