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From: O'Donnell, Terrence [todonnell@bricker.com]

Sent: Tuesday, October 21, 2003 12:44 PM

To: nprm@ttb.gov

Subject: FMB's- TTB Notice No. 4

Dear Sir or Madam:

> > As a state legislative consultant for Miller Brewing Company, I am writing  
> to express my support for the TTB'S proposed rulemaking for flavored malt  
> beverages which preserves the integrity of beer.

> > I believe the TTB's action is an important clarification that ensures that  
> if a FMB product is to be sold as a malt beverage, it should be made as a  
> malt beverage according to traditional brewing methods and processes.

> > If your rule is adopted, consumers will still be able to enjoy FMB  
> products and wholesalers and retailers to will continue to be able to  
> distribute, sell and market flavored malt beverages as they do today.

> > However, absent your new standard, brewers, retailers, and wholesalers  
> will face a potential for a patchwork of individual state laws and  
> regulations where the same product may ultimately be sold as a "beer" in  
> one state and as "hard liquor" in another...in fact, several officials in  
> my state have already suggested this as a possibility.

> > Thank you for this opportunity to offer my support for your proposed FMB  
> rule preserving the unique differences and integrity of beer. > > Sincerely,

Terrence O'Donnell  
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