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DEAN
DISTRIBUTING, INC.
1215 Ontario Road • Green Bay, WI 54311 • (920) 469-6500

August 28, 2003

Att: TTB Notice No 4
Chief, Regulations & Procedures Division
Alcohol & Tobacco Tax & Trade Bureau
PO Box 50221
Washington, DC 20091-0221

Dear Sir/Madam:

Dean Distlibuting supports the proposed rule recently issued in March 2003 by the Tax and Trade Bureau that outlines the necessary alcohol content requirements in order for the 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 that beer enjoys from other alcohol products is based on its age-old production process. Its definition in the Internal Revenue Code dates back to the 1800's when the beer excise tax was first imposed by Congress. The proposed rule is consistent with the historical interpretation of what constitutes beer and other malt beverages.

The proposed rule will help maintain an orderly marketplace, thus avoiding costly and confusion disruptions in state licensing, taxation, and distribution policies. Any of which would deal a severe blow to beer Wholesalers.

Moreover, equating beer and beverages deriving a majority of their alcohol content from distilled spirits could weaken the important distinctions between beer and products with a higher alcohol content. These distinctions impact state and federal policies regarding the regulation and taxation of beer and other alcohol beverages. If these distinctions disappear, it will only be a matter of time before other producers of alcohol beverages attempt to categorize themselves as beer products.
Sincerely,

Ken Eggen
Vice President I Sales

Budweiser • Bud Light Bud Ice • Bud Ice Light • Bud Dry • Michelob • Michelob Light. Michelob Ultra • Amber Bock
Busch • Busch Light S Busch Ice • Busch NA • Natural Light • Natural Ice King Cobra • O'Doul's • O'Doul's Amber • Tequiza
Bacardi Silver • Doc 's Hard Lemon