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'TTB Notice No. 4'From: Lane, Marie [mlane01@7-11.com]
Sent: Tuesday, October 21, 2003 2:24 PM
To: nprm@ttb.gov
Subject: 'TTB Notice No. 4'

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October 21, 2003

Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
Post Office Box 50221
Washington, DC 20091-0221

Dear Sir or Madam:

7-Eleven, Inc. hereby wishes to express its support for the proposed Rule, issued by the Bureau in TTB Notice, No. 4, as published in the Federal Register on March 24, 2003, providing that a Flavored Malt Beverage (FMB) can be classified as beer provided that no more than 0.5% (one-half of one percent) of the resulting alcohol content is derived from distilled spirits.

7-Eleven, Inc. is the premier name and largest chain in the convenience retailing industry. Headquartered in Dallas, Texas, 7-Eleven, Inc. operates or franchises approximately 5,800 7-Eleven stores in the United States and Canada and licenses approximately 19,400 7-Eleven stores in 17 countries and territories throughout the world.

The proposed standard for FMBs is consistent with the historical interpretation by Federal regulatory authorities as to what constitutes beer and other malt beverages. These historical standards take into consideration the ancient brewing process for beer that has resulted in the unique regulation and taxation of beer in contrast to other alcoholic beverages.

Facing the prospect of blurred distinctions between alcoholic beverage categories, federal leadership is essential to maintaining an orderly and efficient U.S. market. The proposed rule is necessary to avoid market disruptions and consumer confusion caused by inconsistent state interpretations and will free state regulators to focus on industry integrity, proper sales practices and other important alcohol policy issues.

7-Eleven, Inc. supports the proposed rule as an unambiguous and rational standard that will prove efficient in promoting an orderly marketplace, and we urge its prompt adoption. Thank you for your consideration.

Very truly yours,

Ronnie Volkening
Director, Government Affairs

7-Eleven, Inc.

RRV/ml