

0047368

From: Damar, Leroy [Damar.Leroy@mbco.com]

Sent: Tuesday, October 21, 2003 2:43 PM

To: 'nprm@ttb.gov'

Subject: Reference TTB Notice No. 4

Dear Sir or Madam:

As an employee of Miller Brewing Company, I am writing to express my support for the TTB's proposed rulemaking for flavored malt beverages.

I believe the TTB's action is an important clarification, in that an FMB product sold as a malt beverage, should be made as a malt beverage in accordance with traditional brewing methods and processes.

If your rule is adopted, consumers will continue to enjoy FMB products. Additionally, wholesalers and retailers will continue distributing and marketing flavored malt beverages, just as they do today.

However, absent your new standard; brewers, retailers, and wholesalers will face the potential for a patchwork of individual state laws and regulations where the same product may ultimately be sold as a "beer" in one area and as "hard liquor" in another. In fact, I understand that situation already exists in Nebraska and will almost certainly develop in other areas as well.

Thank you for this opportunity to offer my support for your proposed FMB rule. Sincerely,

Leroy C. Damar
Plant Services Manager
(336) 627-2483