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nebraska wine & spirits, inc.
The Beverage Company 4444 so. 94 St.. omaha, ne 68127-1287 402.593.0208 fax 402.593.0209

September 29, 2003

Chief, Regulations & Procedures Division
Alcohol & Tobacco Tax & Trade Bureau
P.O. Box 50221
Washington, DC 20091

Attention: TTB Notice No. 4

Dear Sir or Madam,

Nebraska Wine & Spirits, Inc. supports the proposed rule option # 2 allowing the alcohol contained in flavors to contribute up to 49% of the total alcohol volume in finished flavored malt beverage products. This of course means that 51% of the alcohol in finished flavored malt beverage products would come from brewed malt beverages.

For two decades the Federal Government has allowed the use of flavors containing alcohol, in beers and flavored malt beverages without limitation, thus allowing a whole new category of malt beverages to be developed. This category now offers consumers malt beverages with a large variety of tastes. Why now should the federal government adopt new regulations which would require the flavored malt beverage industry to reformulate their products? What is the driving force behind this call for rewriting these regulations? The answer is plain and simple. Large brewers who failed to establish markets for their flavored malt beverages want to change rules to their advantage.

The production, marketing and distribution of flavored malt beverages have been controlled by a set of regulations that have served the needs of both government and business. There is no need for a new set of rules.

Sincerely,

Paul Epstein
President