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September 23, 2003

Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P.O. Box 50221
Washington, DC 20091-0221

Attn: Notice 4
Dear Sir or Madam:

As the State Representative for Indiana House District 36, I am writing to express my support for the U.S. Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB) proposed rulemaking for flavored malt beverages (2001R-136P).

After researching this issue and talking with distributors in my district, I believe that the TTB's action is a necessary clarification of the federal alcohol beverage categories that will assist in maintaining a stable market.

With my support for the proposed 0.5% standard, I am joining the Beer Institute, the National Beer Wholesalers Association, and major small brewer associations, among many others, because I feel that it is the best way to move forward on the recent concerns of both state and federal officials. It is my belief, that this forward progress will allow for consistent product and the further development of this product category. Thus, and most importantly, allowing these products to be consistent with state tax, license and distribution laws.

Finally, while there is concern about the ability of manufacturers to produce flavored malt beverages in accordance with the new proposal, many brewers have demonstrated their ability to brew these products under the new perimeters. With all of the above concerns addressed, flavored malt beverage products that look and taste the same will be available to wholesale and retailers in all states, with no interruption and no discernable taste differences for consumers.

Thank you for time and consideration of the proposed rulemaking for flavored malt beverages. Please do not hesitate to contact me if I may be of further assistance. .

Sincerely,

Terri J. Austin
State Representative
House District 36