

September 27, 2003

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To Whom It May Concern:

Regarding: Notice #4

I am submitting this letter to share my opinion regarding Notice #4. I strongly feel you should vote in favor of Option #2 -51-49 standard of Flavored Malt Beverages. My reasons for this belief are, as follows:

1. Option #2 favors the integrity and consistency of the current products out in the marketplace. Consumers would be able to continue to purchase these products without seeing significant changes in their taste or price.

2. Option #2 offers a level competitive playing field to all current producers of these products. Reformulation will be costly; and as such will naturally favor larger producers. In our current economic market, we need to make decisions which will stimulate business growth in companies of all sizes. We can ill afford to create financial burdens on smaller companies as the resulting circumstances will ultimately drive them out of the market. The remaining companies will inevitably prosper at their expense, and without a healthy base of competitors, will be able to pass on price increases to consumers without losing profits. The net result is that smaller businesses and consumers will suffer.

3. The products currently available on the market were approved, taxed, branded and priced accordingly. As this is the key ingredient in their formula, it makes no sense to move them to the spirit segment.

Thank you for reviewing my opinions in this matter. I trust that you will give these issues the attention that they deserve, and in fairness toward the continued sale of these products, find in favor of Option #2 -51-49.

Sincerely,

Scott Merz