

0040471

-----Original Message-----

From: Ken Singer Bellsouth

Sent: Friday, July 11, 2003 1:40 PM

To:

Subject: 'TTB Notice No. 4'

name=Kenneth Singer

name=Expressway Liquors

Address1=

Address2=

City=Louisville

State=KY

Zip Code=40208

Comments=I am shocked that the ATF ever let the beverage flavored with distilled spirits into the market under the rules as a malt beverage. There is an obvious problem of the loss of tax dollars by treating these products as beer instead of liquor, but there are many other sides to the situation. What about a guy like me who is severely limited in what other products I can sell because I have a liquor license. I cannot sell gasoline or groceries, and I pay a handsome fee for my license. Now you have allowed my licensed privilege to be infringed upon by allowing these products into markets that should be exclusive to packaged liquor licensees. Then there is the question of placing traditional liquor brand names into locations that are not allowed to sell distilled spirits and wine, further eroding my market share granted in my license.

Another aspect of this situation is how different alcoholic beverages are treated. Beer and "Malt Beverages" are treated like they are a lesser alcohol. That is WRONG. There is no distinction in the effects of alcohol on a person, be it distilled, beer or wine, yet we allow beer to be sold in gas stations, by persons 18 years or old. Nice message to our kids, "Here's your license to drive Sonny, and get some gas in the car. You can pay for in at the register, right next to the iced down single beers." Now it's the iced down single Jack Daniels cocktails. (Malt Based of course) Beer, and these so called malternatives are just as dangerous as any other alcoholic beverage on

the market today. The ATF has just plain screwed up and allowed the distilled spirits industry into a market area they should never have entered. These products are cocktails and should remain in the correct regulatory area which they belong, distilled spirits and wine.