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MARCY DISTRIBUTING COMPANY

1001 South 7th Street. Clinton, Oklahoma 73601-5245 . eel: (580) 323-0441

August 18, 2003

Attn.: TTB Notice No. 4  
Chief, Regulations and Procedures Division  
Alcohol and Tobacco Tax and Trade Bureau  
P.O. Box 50221  
Washington, D.C. 20091-0221

Dear Sir:

Marcy Distributing Company supports the proposed rule issued in March 2003 by the Tax and Trade Bureau that outlines the alcohol content requirements in order for flavored malt, beverages (FMB) to be classified as beer. Specifically, the TTB proposes that for an FMB to be classified as beer, its alcohol content from distilled alcohol cannot exceed 0.5%.

Beer is a product that is made through the brewing process, not a product that has been through some type of distillation process. Beer IS different. It needs to be treated different than distilled spirits. The 0.5% standard will ensure the integrity of beer remains.

Marcy Distributing Company has been in business for over 50 years and encourages the TTB to give final approval to the proposed 0.5% standard on FMBs.

Sincerely,

Keith Marcy

Budweiser. Bud Light Michelob Michelob Light. Michelob Dark . Busch . Natural Light . O'Doul's/Amber