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Mike Weber Aumist 15, 2003 Ventura 'Michael' Hernandez
GENERAL MANAGER ASSISTANT GENERAL MANAGER

Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
P0 Box 50221
Washington, DC 20091-0221

Re: TTB Notice #4

Dear Sir or Madam:

As an employee of Ben E. Keith Beers, I am writing in support of the proposed standard of composition for Flavored Malt Beverages (FMB) as set forth by the Tax and Trade Bureau (TTB) in TTB Notice No. 4 of March 2003. This proposal is essential to the beer industry as it clearly delineates the difference between beer and other alcohol beverages, requiring that the alcohol content in FMB's derived from distilled alcohol not exceed 0.5% in order to be classified as "beer."

Federal leadership in this area is critical as state definitions of "beer," "malt beverage," and "spirits" are generally consistent with the definitions found in federal laws and regulations. Thus, the proposed rule will likely be followed at the state level, helping to maintain clear and distinct definitions that will guarantee consistent tax, licensing, and distribution policies for each category.

I support the proposed "0.5% standard" for FMBS. Its consistency with historical interpretations of federal regulations will help maintain an orderly marketplace and the integrity of the beer category.

Sincerely,

Mike Weber
General Manager

BEN E. KEITH BEERS
P0. Box 3873 Abilene, Texas 79604 • tel. (915) 676-5777 • (800) 588-5777