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OCT-20-03 NON 01:14 PN BUCK DISTRIBUTING CO INC FAX NO. 301627538 P.04

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BUCK DISTRIBUTING COMPANY, INC.  
www.buckdistributing.com

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

Dear Sir or Madam:

I support the proposed rule by the Tax and Trade Bureau (TTB) which states that a flavored malt beverage's alcohol content from distilled alcohol cannot exceed 0.5% in order to be classified as a beer. It is important to maintain the difference between beer and distilled alcohol, so that the consumer is aware of what they are purchasing.

Beer is a distinctive and unique beverage. Beer is a refreshing beverage made through the brewing process. Beer is not made through the distillation process. Beer is not distilled spirits, nor is it fortified wine. Currently the seemingly clear definition of what constitutes beer is hazy. However, the adoption of a 0.5% by volume standard on FMBs would once again ensure the clear definition of beer.

Sincerely,

James Brian Wagner  
13211 Vandine Street  
Upper Marlboro, Maryland 20774

15827 Commerce Court \* Upper Marlboro, MD 20774 \* (301) 952-0400 \* Fax: (301) 617-5380