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EDWARD UTLEY JR., INC.
P.O. Box 382 . Henderson, KY 42419 0382 tel (270) 826-2465 fax: (270) 826-3975

September 9, 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 or Madam:

Edward Utley Jr. Inc. 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 to be classified as beer. Specifically, the Tax and Trade Bureau proposes that for a flavored malt beverage to be classified as beer, its alcohol content from distilled alcohol cannot exceed 0.5%.

Beer has been regulated and taxed differently than other alcoholic beverages in our country. The adoption of the Tax and Trade Bureau "0.5 by volume standard" would ensure the integrity of our product and the process of the way it is brewed.

Consistent regulatory policy is important because while states enjoy regulatory power over alcohol, most states will follow federal guidelines. This proposed rule would help maintain an orderly market and avoid confusion in state licensing, taxation, and distribution policies, any of which would be very costly to our wholesalers as well as our fellow wholesalers.

Beer is not a distilled spirit, nor is a wine. Beer is made through a brewing process, where as distilled products and wine are made through a distillation process. The 0.5% standard will insure that the integrity of beer remains.

Edward Utley, Jr., Inc. encourages the Tax and Trade Bureau to give final approval to the 0.5% standard on flavored malt beverages

We thank you for your time and efforts.

Sincerely,

Ronald E. Utley
President

Budweiser. Bud Light. Bud Dry . Bud Ice . Bud Ice Light. Michelob . Michelob Light • Michelob Dark . Michelob Dry . AmberBock
Red Wolf. Busch . Busch Light . Busch Ice . Busch NA . Natural Light. Natural Ice . King Cobra . O'Doul's . O'Doul's Amber. Tequila